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ABSTRACT

This issue of "The Bookmark" presents 20 articles focusing on various aspects of law library services in New York State. The articles are: (1) "Law Library Services in the 1990's" (Christine Bain); (2) "A Librarian's View of Legal Publishing Today" (Margaret Maes Axtmann); (3) "Legal Publishing--A Publisher's View" (Kenneth Lee Halajian); (4) "Understanding Our Judiciary Systems and Their Literature" (Julie Gick); (5) "The Use of Intent in New York State Law--Resources and Searching Aids" (Robert A. Carter); (6) "Rule-Making and Rule-Finding in New York State" (Kate Storms); (7) "Legal Literature and Information Services from the New York State Library" (Sally Legendre and Dawn Tybur); (8) "Access to Local Laws and Codes" (Robert A. Emery); (9) "Local Laws and Their Publication" (A. Ross Kitt II); (10) "Education for Law Librarians" (Penny A. Hazelton); (11) "Standards for Law Libraries and Law Library Service" (David Badertscher); (12) "The High-Tech Law Library--Serving in the 'L.A. Law' Environment" (Joan Taulbee White); (13) "Legal Information Service for the Pro Se Patron" (Mary Beth Dunn); (14) "Model Policies for Legal Information Service" (Bobbie Studwell and Ann Haley); (15) "Inmate Access to the Courts and More Through New York State's Prison Law Libraries" (Jean Clancy Botta); (16) "Preserving Documentation of the Legal Profession" (Morris L. Cohen and Marsha Trimble); (17) "Law Library Networking" (Susan M. Wood); (18) "Keys to Legal Research: Opening the Doors to the Law Library" (Nancy Lenahan); (19) "Inquiring Minds Want To Know--Information Services of the New York State Department of Law" (Joan Libby and Judith Brown); and (20) "Practicing Attorneys Use More Than Law Libraries" (Maureen Gross). A directory of law libraries in New York State concludes the issue. (MAB)

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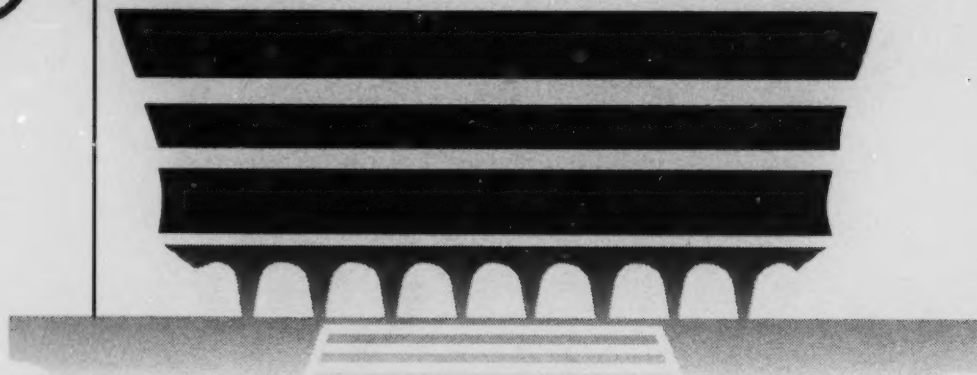
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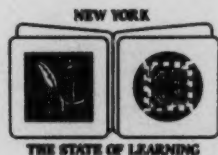
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Law Library Service in the 1990s



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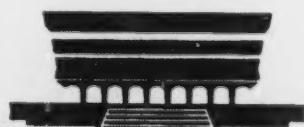
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SUMMER 1990

The Bookmark

CONTENTS

- 244** Law Library Service in the 1990s *By Christine Bain*
- 245** A Librarian's View of Legal Publishing Today
By Margaret Maes Axtmann
- 248** Legal Publishing — A Publisher's View *By Kenneth Lee Halajian*
- 253** Understanding Our Judiciary Systems and Their Literature
By Julie Gick
- 258** The Use of Intent in New York State Law — Resources and
Searching Aids *By Robert A. Carter*
- 262** Rule-Making and Rule-Finding in New York State: *The Official
Compilation of Codes, Rules and Regulations and The New York
State Register* *By Kate Storms*
- 267** Legal Literature and Information Services from the New York State
Library *By Sally Legendre and Dawn Tybur*
- 274** Access to Local Laws and Codes *By Robert A. Emery*
- 276** Local Laws and Their Publication *By A. Ross Kitt II*
- 278** Education for Law Librarians *By Penny A. Hazelton*
- 282** Standards for Law Libraries and Law Library Service
By David Badertscher
- 287** The High-Tech Law Library — Serving in the "L.A. Law"
Environment *By Joan Taulbee White*
- 290** Legal Information Service for the *Pro Se* Patron
By Mary Beth Dunn
- 293** Model Policies for Legal Information Service
By Bobbie Studwell and Ann Haley
- 296** Inmate Access to the Courts and More Through New York State's
Prison Law Libraries *By Jean Clancy Botta*
- 300** Preserving Documentation of the Legal Profession
By Morris L. Cohen and Marsha Trimble
- 303** Law Library Networking *By Susan M. Wood*
- 309** Keys to Legal Research: Opening the Doors to the Law Library
By Nancy Lenahan
- 316** Inquiring Minds Want to Know — Information Services of the New
York State Department of Law
By Joan Libby and Judith Brown
- 319** Practicing Attorneys Use More Than Law Libraries
By Maureen Gross
- S1** Directory of Law Libraries in New York State, with Public Access
Policies and Subject Specialties

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LAW LIBRARY SERVICE IN THE 1990s

The Summer of 1990 has been a time of fast-moving political changes, some of them restoring the rights of oppressed peoples and others taking them away. Such changes prompt thoughts about the differing degrees of justice in the world, the quality of our legal system and how much it depends on the quality of our law libraries. It seems appropriate that the Summer 1990 issue of *The Bookmark* has the theme "Law Library Service in the 1990s."

Even without drastic political change, the law is always changing and growing. No degree of authority, constraint or freedom is ever permanently satisfactory. Laws and legal systems change as society changes, no matter how stable the government. In our complex society, the need for legal information continues to grow with the growth in population, the increase in legal actions, the expansion of governmental activity and the proliferation of laws and regulations.

Supplying legal information is a major activity in New York State, which has perhaps the largest number of lawyers of any state and a correspondingly large number of law libraries. The American Association of Law Libraries' *AALL Directory and Handbook* lists more than 200 law libraries in New York, and many more collections of legal literature exist in firms, government offices, academic institutions and organizations throughout the State.

Advances in computer-based information services and in telecommunications are affecting libraries of all types. In the highly complex area of legal research, the new technologies are making legal information more accessible and easier to share. These advances are also affecting the fundamentals of library service.

This issue of *The Bookmark* describes aspects of law library services in this time of growth and change. Before the issue was planned, Mr. Shubert and I invited some local librarians to discuss what is hap-

pening in law libraries and identify subjects deserving coverage. Participants in the advisory session, conducted by Jerome Yavarkovsky in Mr. Shubert's absence, were: Robert Begg, Director of the Schaffer Library of Albany Law School; Karlye Pillai, Librarian at the Supreme Court Library in Troy; Ruth Fraley, Director of the Office of Libraries and Records Management and Chief Law Librarian of the New York Department of Law's Office of Court Administration; and Sally Legendre, Associate Librarian, and Dawn Tybur, Senior Librarian, of the Reference Services section of the New York State Library. They provided a long list of subjects to consider. Most of the topics they identified are represented in this issue, but there were many deserving of treatment that will have to be covered at another time.

Our aim has been to make the issue practical as well as thought-provoking, and there are articles for the novice as well as for the sophisticate. Although the focus is on New York State, the contents should have applications beyond this state.

Even with its limited coverage, this issue of *The Bookmark* should serve to demonstrate that our law libraries and our legal information system play a major role in the effective workings of our judicial system. Although some articles identify problems, as a whole they convey the impression that our legal information service is highly organized, functioning well and staffed by concerned professionals who are working together to make it function even more effectively in the future.

A word about our authors: They showed great enthusiasm not only for contributing, but also for finding ways to go beyond what was asked of them to produce something even more informative and useful, and it was gratifying to have potential authors become actual ones so rapidly. Special thanks go to Dawn Tybur for her good advice during the editing process.

Christine A. Bain

Christine A. Bain
Issue Editor

Christine Bain, editor of this issue of *The Bookmark*, came to the State Library in 1979 as head of the Science, Health Sciences and Technology reference services. She is Associate Librarian in Reference Services, and, in the course of her work at the State Library, she has worked with professionals in many disciplines. In 1988, she edited the Fall issue of *The Bookmark*, "Serving Business in an Information Economy." We were particularly pleased when she agreed to edit this issue on "Law Library Service in the 1990s."

Ms. Bain has worked with outstanding contributors in preparing this issue. We are indebted to her and the authors for their thoughtful examination of law library services and resources.

Joseph F. Shubert
Joseph F. Shubert

A LIBRARIAN'S VIEW OF LEGAL PUBLISHING TODAY

*By Margaret Maes Axtmann, Acquisitions Librarian,
Cornell Law School Library, Ithaca, NY*

The history of legal publishing in the United States has been well documented.¹ Beginning with the establishment of printing presses in colonial days, legal publishing has concentrated on printing laws and statutes, court decisions and legal treatises. After 350 years, there are additional types of publications and numerous changes in the patterns and frequencies of publication, the technologies used to produce the publications, formats of materials and methods of research, but these basic materials still comprise the majority of the standard legal works appearing today.

The printing press gave way to the legal publisher in the late 18th Century and family-owned businesses became the mainstay of legal publishing in the 19th Century. Technological advancements in production and the availability of a wide variety of new formats have characterized the 20th Century. The results of these changes can be seen in several areas, including costs, marketing practices, proliferation of services and an increased emphasis on publication of materials that need continuing supplementation.

This essay discusses the current situation in the legal publishing industry, with an eye toward trends and desired changes for the future.

BASIC LEGAL MATERIALS

Primary legal materials are the statutes and constitutions of the state and Federal governments, the judicial decisions handed down by the various courts and the administrative regulations promulgated by the various agencies of the executive branches of the state and Federal governments. These sources are essential parts of law library collections because lawyers use them as the primary authority for establishing the applicable law. Increases in legislative, judicial and regulatory activity have brought corresponding increases in the publication of session laws and compiled statutes, court reports, administrative decisions and administrative regulations. Today most of these are commercially published, but many also continue to be published by government printing agencies. Accompanying these primary sources are the tools needed to use them, such as digests to the court reports, other indexes, citators, practice materials and updating services. These tools are produced by commercial publishers.

Secondary legal sources are the texts, treatises,

encyclopedias and legal periodicals that contain explanations of specific areas of the law. Some of these are general in coverage, but more frequently they are highly specialized. The proliferation of secondary sources has matched the explosion of primary sources, particularly with the growing demand for more information in specialized areas of law and in international issues. More law school periodicals, commercially published journals and topical newsletters are produced every year. The growth in secondary legal literature has been significant over the last decade.

All legal materials are published in a variety of formats. Case reports, while traditionally published chronologically in bound volumes, first appear in a paperbound advance sheet, which can be discarded when the bound volume arrives. Statutes also are published in bound form and are kept up to date with annual pocket parts and other supplements. Looseleaf services cover a wide variety of topics and may contain laws, regulations, court decisions and general discussions of the law. They can be updated as frequently as weekly or as little as quarterly. Looseleaf treatises are supplemented at least annually, and most hardbound treatises also are supplemented regularly. Many major sets of materials, both current and historical, appear also in microform. CD-ROM products have emerged in the last five years, some duplicating sources already available and others providing new sources. Online services, such as LEXIS and WESTLAW, are well developed and contain the full text of many primary and secondary sources.

CURRENT PUBLISHING TRENDS

Many of the standard types of legal publications have not changed significantly for a number of years. Primary materials are published in the same formats, but their size and frequency continues to increase every year. Alternative formats are adding to the nature of legal publication but are not yet replacing traditional formats.

Secondary materials are less predictable in their publication patterns. New treatises appear every week on old and new topics, and new series of publications begin while existing ones expand with greater frequency. Law journals and newsletters proliferate at an alarming rate. Three factors seem to contribute to the increase in secondary literature: 1) greater specializa-

tion in many areas of the law; 2) the use of interdisciplinary approaches to the study of law; and 3) a growing concern with international law, particularly commercial and trade law.

The ever-changing nature of the law mandates the continual updating of legal materials. Supplementation of all types (pocket parts, paper supplements, looseleaf releases, replacement volumes, companion volumes) is published more frequently, in some cases too frequently.² Legal publishers generally ship all such supplementary material automatically to pur-

gets for the major corporations. This situation will increase the already fierce competitive atmosphere, producing expanded product lines and new marketing techniques. Greater reliance on telemarketing and telefax services will gradually replace the use of sales representatives in the field. None of these changes will result in lower costs for publications, nor will they necessarily improve the quality of the materials being produced.

New formats will appear rapidly as technological advances make it possible to improve products and

New technology and increased competition have the potential to produce new and better products, but costs are likely to be high for both publishers and libraries.

chasers of the original work, even when the material does not directly update the original work but is merely a related publication. This and other practices related to the advertising, order fulfillment and invoicing of legal materials are regulated by the Federal Trade Commission's *Guides for the Law Book Industry*.³

The increase in legal publishing has had serious consequences for libraries. Costs of basic publications rise every year as the volume of output grows. Supplementary material adds to the basic cost and, in many cases, makes it impossible to maintain all the publications. Competition in the industry means more products that duplicate each other, necessitating more aggressive and costly marketing techniques. Direct mail advertising is still prevalent, but telemarketing for new sales and renewals is increasingly common in spite of librarians' complaints.

A major change in the legal publishing industry in the last five years has been the takeover of several publishers by large conglomerates, both domestic and foreign. As family-owned businesses become corporate subsidiaries, changes in philosophy and service from the major publishers are evident. In most cases the companies lose their ability to deal with customers on a more personal level while gaining the benefits of advanced technology and streamlined operations. Such changes inevitably have an impact on law libraries.

FUTURE OF LEGAL PUBLISHING

Corporate takeovers will continue to affect legal publishing, leading to a small number of conglomerates controlling a large percentage of the industry. It will be possible for small specialized firms to exist in this environment, but many of these will become tar-

equipment. These advances, while capable of enhancing library collections and services, will also be costly to purchase and maintain. Research and development costs will be high for the publishing industry, as will the cost of increased marketing and customer services. The expense of keeping pace with technology will become a large factor in the growth and stability of legal publishing, and the new products will have to be better products in order for publishers to maintain profits.

Legal publishing is a healthy industry, with corporate money available to move it into the 21st century.

Finally, the automatic shipment of related material to purchasers of individual works will continue to be a serious problem for libraries. Automatic shipments and unsolicited subscriptions are practices that produce tension in the relationships between publishers and librarians, but publishers will continue to use them as marketing techniques. Librarians will be caught between the desire to keep their collections up to date and the necessity of checking every shipment that is received so that unwanted material is not inadvertently added to the collection. Publisher/library relations will remain tense as long as these practices continue.

Legal publishing is a healthy industry, with corporate money available to move it into the 21st century. New technology and increased competition have the

potential to produce new and better products, but costs are likely to be high for both publishers and libraries. It is an industry that bears watching, as its success will be an example to other areas of the publishing world.

REFERENCES

¹ See for example Surrency, Edwin C. "The Beginnings of American Legal Literature, *American Journal of Legal History* v31, 207-20, 1987.

² For a critical discussion of this practice see Svingalis, Kendall F., "Cost Effective Acquisitions: A State Law Library Perspective, *Publications Clearing House Bull.* v9, 1985. p. 14.

³ "Guides for the Law Book Industry," *Code of Federal Regulations*, v16, §256, 1990.

LEGAL PUBLISHING — A PUBLISHER'S VIEW

By Kenneth Lee Halajian, Vice President, Editorial,
Matthew Bender & Company, Inc., Albany, NY

When I was invited to submit an article for this issue of *The Bookmark*, my first question was what is the anticipated readership, or to whom am I presenting the "publisher's view" of legal publishing? It is the same question we publishers ask ourselves when considering any new publication: What is the market?

The Bookmark serves a diverse group including librarians from public, academic and research libraries as well as law libraries. Perhaps the best way to bridge these interests is to explain briefly who we are, what we do, describe the more specific challenges facing publishers who serve the law library community, and outline how Matthew Bender is responding to those challenges. Those readers who are law librarians should feel free to scan down a few paragraphs.

SOME BASICS OF LEGAL PUBLISHING

Legal publishing can be divided into two broad categories of information produced for the legal professional — primary and secondary source materials. Primary sources form the basis of the law, that is, they reproduce the text of the laws and regulations enacted by our governing bodies and the text of decisions from the courts interpreting and applying those laws. Some legal publishers specialize in publishing primary source materials for the legal community. Others draw upon those primary sources and produce secondary, analytic works that assist the legal professional in quickly researching the current status of the law. These analytic commentaries on the law and other supplemental texts that assist the legal professional in interpreting it have always been part of legal publishing.

More than 2,000 publishers produce information for the legal professional.

Our company, Matthew Bender, has been publishing secondary source materials since 1887, when the firm was founded in Albany, New York. As the laws have grown to encompass numerous disciplines and specialties, so have we grown. Today we maintain over 600

active titles ranging in size from one volume to over 50 volumes each, covering every specialty from accounting to zoning.

More than 2,000 publishers produce information for the legal professional. Most, however, produce one or two highly specialized texts or newsletters. The bulk of legal publishing is done by about 25 publishers, including the Government Printing Office — a large primary source publisher. (For a further discussion of legal book publishing, see Jacobstein and Mersky's *Legal Research Illustrated*.¹)

The majority of legal publishers produce secondary source materials. Why are these secondary sources needed? They are valuable in explaining the interaction between complex laws and regulations, for example, the Internal Revenue Code and its related regulations and rulings. They provide an essential starting point for researching unfamiliar areas of law. And they synthesize the ever increasing number of decisions whose precedential value must be considered by legal professionals as they apply legal reasoning to any problem.

In serving their clients, legal professionals draw upon many skills and tools. Mentschikoff and Stotzky identify use of precedent as the primary tool:

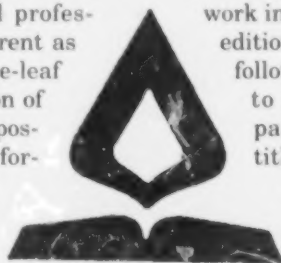
One of the most important tools of legal reasoning is the use of precedent. Suppose that Case #1 is decided by the United States Supreme Court. Tomorrow, Case #2 comes before the Supreme Court. Suppose that the Justices recognize a similarity between Cases #1 and #2. In deciding Case #2, the Court will announce a rule of law to support its decision which it believes is inherent in Case #1. This is the *crux* of legal reasoning: finding similarities and distinctions between past and present cases and then using past cases to arrive at a decision in the present case. This is called reasoning by example.

Legal reasoning is not a static process, but a dynamic one. Rules of law are often ambiguous, and it is a common occurrence that new fact situations necessitate new interpretations of old rules of law.²

Precedent is vital to our system of laws. The legal professional must therefore carefully review prior applications of a law to various fact patterns in order to arrive at a conclusion concerning the application of the law to his or her case. With thousands of decisions

being reported by the courts each year (and, in some areas of the law, decades worth of decisions having been rendered), the legal professional researching from scratch might face a daunting challenge. A secondary source provides the researcher with an analysis of the law and of prior precedents that is current as of the date the manuscript for that secondary source was completed. Having consulted a secondary source, the legal professional has only to do primary research (that is, review primary sources) from the date of the secondary source to the present before being satisfied as to the application of any particular law to the facts in his or her case. "[O]ne of the most effective legal research techniques is indirect access [to the primary authorities] through secondary authorities."³

Secondary source materials are produced either bound or in loose-leaf format. Publishers of bound volumes update them by the use of pocket parts or supplements or by issuing subsequent editions. Other secondary source publishers, including Matthew Bender, use loose-leaf volumes that allow for interfiling of replacement pages and supplements to maintain currency. The law is dynamic and the legal professional needs analytic tools that are as current as possible. Provision of publications in loose-leaf format allows for the most rapid integration of revised analysis into the texts. While the possibility of misfiled pages does exist, this format allows for secondary sources that are "more precise."⁴



CHANGES IN LEGAL PUBLISHING

The 1980s was a decade of both enormous growth and increasing competition for legal publishers. They dramatically increased their number of titles in response to rapid growth in the body of law. That growth occurred not only in the number of cases being reported (estimated at over 50,000 each year), but also in the number of legal areas in which professionals now seek information. The boundaries of legal literature are also expanding into areas considered nonlegal, such as insurance and the environment. The need for this increased volume of laws, cases and analysis to keep a legal reference library current is occurring at the same time that many libraries face budget constraints. Therefore, legal publishers will be working to help law librarians meet the challenge of reconciling these conflicting trends. Here's what we at Matthew Bender are doing about some of the specific issues law librarians have raised with us in our ongoing discussions.

PUBLISHING WITH THE SUBSCRIBER IN MIND

Librarians need to be able to evaluate quickly and accurately product content and quality when deter-

mining which titles are appropriate for their collections. To describe our publications, we include full listings of product contents in our brochures, and to ensure quality we employ the talents of over 1,000 practicing attorneys, judges and law professors who are authorities in their fields as outside authors. Their manuscripts are then edited by an in-house staff of more than 300 lawyer/editors who work with the outside authors before the printed works are sent to our subscribers for integration into their sets. This attention to accuracy and quality is given to *all* of our titles and is one reason why our publishing program was awarded the 1989 Literary Market Place Corporate Award for Professional Publishing.

Increasing costs, combined with budget constraints, are forcing law librarians to reexamine their collections. We recognize that not every library can afford to retain the most comprehensive reference materials in every area of the law. When the usage of library patrons does not require a law library to maintain, for example, the comprehensive 15-volume authority on bankruptcy law, but does call for a more modest work in the field, we provide a bankruptcy law desk edition or manual aimed at meeting that need. We follow this pattern throughout our product lines to give librarians a choice based on their patrons' needs and their budgets. All of our titles, whether the larger comprehensive sets or the more abridged publications, are written by leading authorities in their fields.

Once the librarian has been assured of the quality of the legal analysis contained in a secondary source and a decision has been made as to the scope of analysis that can be met by the library's budget, the next most important issue is the currency of the resource being maintained. The law is not static, and library users want to keep the amount of primary source research time to a minimum, so the secondary sources need to be as current as possible. How current is that, and what are the possibilities?

For primary source publishers, the clock starts running from the moment a law is enacted or a court decision is rendered. With online databases, this material is now available within days. With the more traditional print reporting services, these laws and court decisions are reported anywhere from two to four weeks and sometimes up to eight weeks or longer after being released.

Secondary source publishers must wait until the primary source materials are released before undertaking their analysis of the law. At Matthew Bender our outside authors then write the analysis and integrate it with the existing text (or, in some cases, write a brand-new work). Additional time is required to edit the manuscript before production, publication, ware-

housing and shipping to subscribers can finally occur. The challenge for publishers of secondary source materials is to reexamine and improve upon every step in the process to ensure that the analysis of primary source materials is integrated into subscribers' sets as quickly as possible. We've installed computer equipment throughout our offices and developed sophisticated programming to assist us in speeding that process. Many of our authors telecommunicate their manuscripts directly into our computer system. Others send us their text on diskettes that are promptly uploaded into our computers. We have added new composition programs in-house that save us many weeks in getting from manuscripts to proofs. And we continue to explore other avenues that will shorten the time required to move analysis of the law from the outside author/commentators to the law libraries' collections. Then there is electronic publishing of our products on CD ROM, but more about that later.

Law librarians are concerned with associated expenses, such as the cost of interfiling the replacement pages sent out for loose-leaf publications. To help in reducing those expenses, Matthew Bender began a program to revise greater blocks of material at a time rather than replacing a series of miscellaneous pages in a section or chapter. By sending out these revised materials already integrated into the applicable sections or chapters, the amount of time required to file releases was significantly reduced, in some cases by up to 50 percent. This program was announced at the 1988 annual meeting of the American Association of Law Librarians and has been expanded to cover as many of our titles as can accommodate this type of updating. At last year's annual meeting of the AALL, a law librarian told how the backlog of releases awaiting filing at her library was virtually eliminated after we introduced this program. Obviously, a change in procedure that speeds the filing of our analysis into the volumes and makes this material available for users more quickly while at the same time helping librarians reduce expenses is a solution we can all approve.

Another associated expense for librarians is the cost of processing individual invoices for each release. This can become especially onerous for customers holding several of our titles. We've begun an experimental program in which large libraries can receive a single invoice covering all titles in their collection and can prepay to receive all releases in the year needed to maintain the currency of their titles. By eliminating the separate processing of invoices for each release, a significant administrative expense for law librarians can be reduced.

Law librarians also told us they wanted ISBN numbers and Library of Congress CIP information in our publications. We've made arrangements to put ISBN

numbers in our titles, but when we attempted to enroll in the Cataloging-in-Publication program we were told that budget constraints at the Library of Congress had forced them to exclude new publishers from the program. As soon as that situation changes we will provide CIP information for our titles.

And law librarians want better and faster customer service for assistance in solving problems when they occur. Matthew Bender provides a toll-free hotline number direct to special customer service representatives assigned to handle all law library accounts. We've also begun listing the names and telephone numbers of two editorial managers on the copyright page of each volume in our publications. These editorial managers can be contacted directly for assistance in locating any material in our sets. Finally, our front line in customer service is a national field sales force of highly skilled and able individuals who are available to assist librarians with our titles.

Although there are other issues facing librarians who interact with primary and other secondary source publishers of legal information, the issues discussed above are (with one exception) the major ones that law librarians have brought to our attention. That exception concerns electronic publishing, or the availability of both primary and secondary sources in electronic format.

ELECTRONIC PUBLICATION

About a year ago, we began publishing our materials in electronic form on CD-ROM. This product, Matthew Bender's Search MasterTM software, transforms the user's personal computer into an electronic research tool capable of full-text information retrieval and electronic browsing of the publications contained in compact disc libraries. When used for data storage, a single compact disc can hold up to 600 million characters — about 150,000 pages of our publications. Using search software that allows typing in any combination of words and phrases that appear in the material, the user of Search Master is able to retrieve in seconds the full text of any of the material included on a library disc.

Our company introduced two Search Master libraries in 1989 and is adding three more in 1990,



with additional libraries planned for future years. Libraries range in content from 6 to over 40 of our publications in a related area of practice. Customers may subscribe to all of the publications contained in a library, or to selected publications.

CD-ROM offers new opportunities to libraries: compact storage, near-instant retrieval of information, the ability to research topics not covered by traditional indices, etc. Its use is growing rapidly, but as with any new innovation, it also raises new issues for librarians. Now that CD-ROM is establishing a foothold as a medium for information retrieval products, articles have begun to appear advocating adoption of a single user interface for all CD-ROM products, and some librarians have raised the issue with us.

There are certainly some good reasons for advocating this view: a large number of CD-ROM-based databases are now being published using a large variety of PC-based search engines. End users who need information from multiple databases must change "mental gears" as they go from one database to another. Information specialists must be prepared to assist users with (and teach them) multiple protocols and must become expert in using many different systems. The different search engines also have different search protocols. While most are based on Boolean logic, they use different operators and syntax. Anyone who uses several of these differing systems, especially if the systems are not used frequently, can become confused.

On the other hand, there are some good reasons why publishers have not yet adopted a standard set of software for information retrieval. Listed below are some of the factors that caused Matthew Bender to offer its proprietary Search Master software for use with its products rather than adopting a package already on the market.

When our company decided to make its publications available on CD-ROM (approximately five years ago), we looked at all of the CD-ROM software on the market at the time. We were not interested in developing our own software, but after assessing the search systems that were available, we concluded that we would have to have custom software written to satisfy the needs of our customers and the requirements of our data.

Our customers are professionals, but most are lawyers or accountants rather than technical personnel or computer specialists. While many of our customers are librarians and information specialists who are familiar with search systems, many individual lawyers and accountants do their own research directly and, therefore, we needed a system that a computer-naïve researcher could learn and use quickly and comfortably.

The nature of materials that we publish had a

strong influence on the design of the CD-ROM software. We view CD-ROM as a medium for the publication of "electronic books" and we wanted to preserve and enhance as many of the book-like features in our product as possible. Online systems added full-text searching abilities to databases but have not really provided many of the features of a standard book, which our customers use daily and take for granted.

Most of our publications have a hierarchical organization similar to a traditional outline. They also include extensive indices and finding tables. The textual materials themselves are liberally annotated with footnoted references, cross-references to statutes, cases, and other publications, and are kept up to date by a combination of textual revision (replacement) and supplementation (additions to the printed volume). All of these features are important to the user of our materials and we wanted to develop a CD-ROM system that made these key features as easy to use as is possible.

The hierarchical structure of our publications could have been represented by a series of hypertext-linked contents screens for each level of the structure. But the interactive nature of the computer allowed us to create a true dynamic, hierarchical contents structure that lets the end user pick and choose the level of contents detail desired at any given time. ("Hypertext" is a relatively new term for an automated cross-reference.) Hypertext links provided the means to make the indices and finding tables more useful than their printed counterparts. The user can jump to a reference in an index or table and then return.

Hypertext also provided the means to deal with cross-references in text to other materials (such as internal cross-references, statutes, cases, other publications, etc.) and our system was designed to highlight all "automatic" cross-references at all times and to make going to and returning from reading a cross-reference a matter of just a few simple key strokes.

While footnotes could have been handled by the use of hypertext links, we felt that it would be an awkward substitute for having the relevant footnotes at the bottom of the page of printed text. So we created a separate footnote display area on the same screen as the main text that displays only the footnotes to the main text currently in view in the main text but which can be scrolled independently when necessary.

Similarly, supplements could have been handled by hypertext links, but our customers rely heavily on the latest developments in the law, which are usually located in the supplements. We therefore decided to provide yet a third window on the text screen for supplementary material that revises the main text shown on the screen. It only appears when supplements to the main text exist and it can be scrolled independently.

While the idea of displaying three separate windows for text may sound confusing or "busy," our customers found these particular windows to be natural and necessary. Both extra windows can be turned off to increase valuable screen space if the user is not concerned about footnoted references or supplements.

Electronic "bookmarks," field-restricted and date-range searching parameters are also important features for our users that were not generally available in other search systems surveyed.

While standardization of the user-interface and search protocol is an important and desirable goal, meeting the research needs of the customer and consideration of the nature of the materials in the database were more important to Matthew Bender as a publisher. However, to help meet the standardization goal that librarians and other customers are interested in, we've made our search software available, through license, to all other legal publishers.

Innovation and experimentation in software are still yielding new and desirable features. At this time it is probably not an attainable goal to develop one software package that can accommodate all material that can be made available on CD-ROM in a fashion

acceptable to all potential customers. Within the narrower goal of satisfying the needs of specific professional markets, software packages such as Search Master can meet the needs and provide the basis for standardization.

This has been a report on what one legal publishing house is doing. The reader may assume that many others in the business are also working to provide improved products and services to law librarians and the legal community.

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UNDERSTANDING OUR JUDICIARY SYSTEMS AND THEIR LITERATURE

By Julie Gick, Principal Law Librarian,
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Our courts are the sources of much of our legal literature. Because our law libraries organize much of the literature that the courts generate according to the courts that have generated it, law library users must understand our judiciary system. This article describes the development of our courts, their present organization and their reporting.

THE FEDERAL SYSTEM

"We must never forget that it is a constitution we are expounding," wrote John Marshall, first Chief Justice of the Supreme Court in *McCulloch v. Maryland* in 1819. Article III of the Constitution of the United States and the Judiciary Act of 1789 empowered the courts with the authority or jurisdiction to hear and decide legal disputes. The first Federal court system had a Supreme Court consisting of six justices who assembled in February 1790 in New York City, then

the nation's capital. By 1795 the Court had decided four cases, conducted three jury trials and moved to Philadelphia.

As the country grew larger and litigation became more voluminous, the system expanded. Today, Chief Justice William H. Rehnquist and eight Associate Justices examine about 4,000 cases and hear about 200 appeals during each term of court. Usually the Court, located in Washington, DC, formally convenes the first Monday of October and recesses at the end of the following June. Its jurisdiction includes controversies between states, constitutional issues, cases affecting ambassadors, ministers and consuls and appellate review of any court in the land, provided the issue involves Federal laws or treaties.

In order to relieve the burden on the United States Supreme Court, Congress created the circuit Court of Appeals in 1891. Today, there are 13 circuit courts. Their primary function is to hear appeals from the dis-

Figure 1
UNITED STATES AND NEW YORK COURT SYSTEM

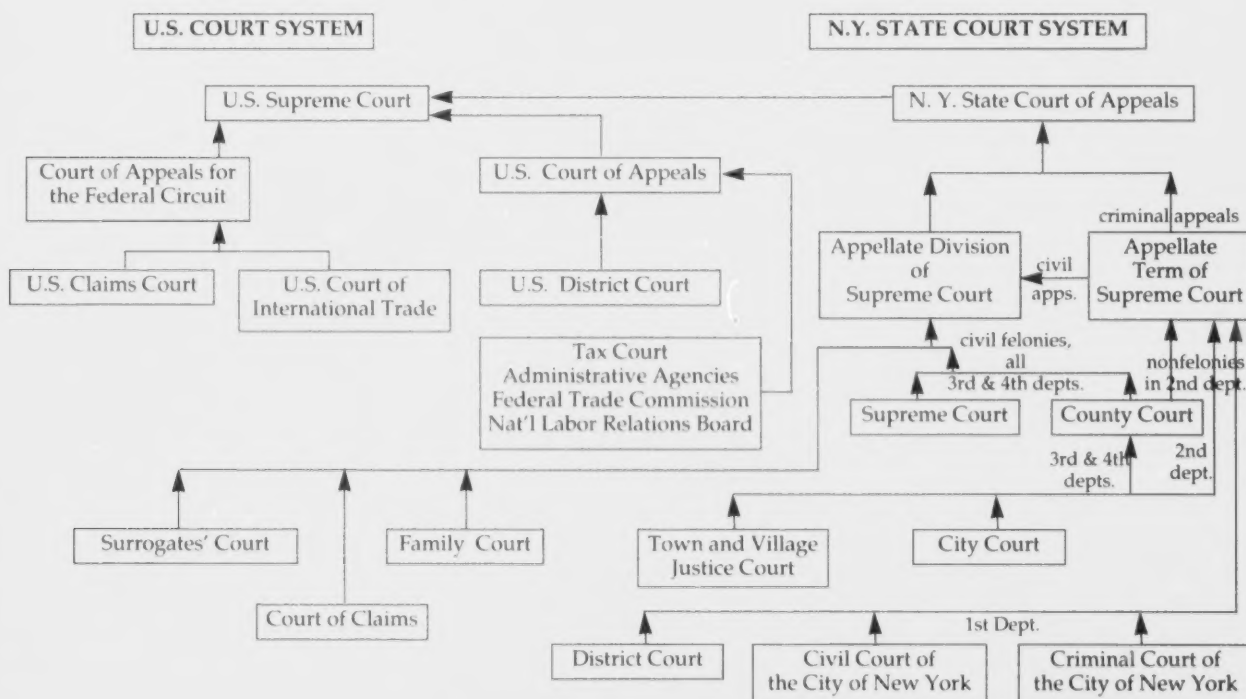


Figure 2.
JURISDICTIONS IN THE NEW YORK STATE COURT SYSTEM

	NUMBER OF COURTS	NUMBER OF JUDGES	OFFICIAL REPORTS	TYPES OF MATTERS BROUGHT BEFORE THE COURT — EXAMPLES
LIMITED JURISDICTION:				
City Court	61	156	Miscellaneous	Civil actions under \$6,000; small claims; criminal less than \$1,000
Civil Court, NYC	1	120	Miscellaneous	Civil law and equity under \$25,000; jury trials
Court of Claims	1	17	Miscellaneous	Claims when the State is a party
Criminal Court, NYC	1	107	Miscellaneous	Criminal less than \$1,000 fine, sentence less than a year; jury trials
District Court	2	49	Miscellaneous	Nassau & Suffolk; civil under \$15,000; criminal less than \$1,000 fine
Family Court	58	16	Miscellaneous	Adoption; child protection; support; custody; juvenile delinquency
Surrogates court	62	32	Miscellaneous	Wills; estates; adoption; guardianships
Town & Village Justice Court	1,487	2,258	Miscellaneous	Small claims under \$3,000; criminal less than \$1,000 fine; jury trials
GENERAL JURISDICTION:				
County court	57	118	Miscellaneous	Civil under \$25,000; criminal all offenses (except NYC); jury trials
Supreme Court	12	271	Miscellaneous	Unlimited law and equity; matrimonial; felonies by indictment
INTERMEDIATE APPELLATE JURISDICTION:				
Appellate Division	4	47	App. Div.	Civil and criminal appellate
Appellate Term	3	15	Miscellaneous	Civil and criminal appeals from courts of limited jurisdiction
COURT OF LAST RESORT:				
Court of Appeals	1	7	New York	Constitutional questions; death sentence; final appeals

Adapted from The Eleventh Annual Report of the Chief Administrator of the Courts 1989

trict courts and review and enforce orders of Federal administrative agencies such as the Securities and Exchange Commission. Along with Connecticut and Vermont, New York belongs to the Second Circuit. The courthouse is located in New York City.

The United States District Courts are the trial courts of general Federal jurisdiction. They may decide matters involving admiralty law, bankruptcy and suits between citizens of different states or between citizens of a state and subjects of a foreign state when the amount in the controversy exceeds \$50,000. New York State is divided into four districts: Southern, in New York City; Eastern, in Brooklyn; Western, in Buffalo; and Northern, in Albany. All judges in the Federal system are appointed by the President with the advice and consent of the Senate.

THE NEW YORK STATE COURT SYSTEM

The New York State court system parallels the Federal in some respects. Its history begins in colonial times with the meeting of the Court of Scoot on February 7, 1653. Patterned after the Dutch judicial bodies, this court had wide, sweeping powers. When New Amsterdam was conquered by the British in 1664, the system was reorganized and the Court of Assizes was established. This court has been called the ancestor of our present State Supreme Courts. The Judiciary Act of 1691 created a number of lower courts and invested

the highest authority in the Supreme Court. It had one chief judge and four associate judges who were based in New York City but also rode circuit to the other counties in New York.

The State Constitution of 1846 mandated changes in the court structure. The Supreme Court became a statewide court with original jurisdiction over law and equity and eight judicial districts were created. The Court of Appeals was established to handle appellate cases. In 1894, the Appellate Division of the Supreme Court became an intermediate appellate review court, and the State was divided into four departments. Courts that had similar jurisdiction with the Supreme Court were combined or eliminated. The last major change occurred in 1962 when a unified court system was implemented under Article VI of the State Constitution, revised by the Judiciary Amendment of that year. Today, there are 12 judicial districts.

While U.S. Supreme Court judges are appointed for life, New York Court of Appeals judges are appointed by the Governor for 14 year terms. The Chief Judge of the Court of Appeals is Sol Wachtler, who sits in Albany. The Governor also designates justices from the Supreme Courts to serve in the four departments of the Appellate Division. The lower trial courts vary in the way that judges ascend to the bench. Some are elected, some appointed. New York's three tier court system is the most complex system of any state in the nation. Figure 1 shows the relationship of the state



and Federal courts. Sometimes there is a choice of where to bring an action, for example, adoption proceedings may be brought in either a surrogate's court or a family court. In other matters, such as divorce, the Supreme Courts have exclusive jurisdiction. Suits may be brought in either a Federal or a state court where there is concurrent jurisdiction, for example, civil RICO (Racketeer Influenced and Corrupt Organizations) and (42 USC) section 1983 actions.

AN ACTUAL CASE

Let's follow a real-life case through the chain of court procedure. About ten years ago, a woman was indicted for murder. In a criminal action, the complainant or plaintiff is the people of this State, represented by the District Attorney. The trial was held in the Westchester County Court in 1981. The crucial question was whether the defendant had murdered the deceased intentionally or the whole thing had been a tragic accident. The jury decided in favor of the prosecution, and the defendant, Jean Harris, was convicted of the slaying of Herman Tarnower, a Westchester cardiologist and proponent of the "Scarsdale Diet."

Lawyers for the defense filed an appeal with the Appellate Division, Second Department later in 1981. On appeal the issue was not whether she was a murderer but whether she had received a fair trial before an impartial jury. In *People v. Harris*, the Court decided that, while not perfect, the trial had been fair and upheld the verdict of the lower court.

The next step in the history of this case was an appeal to the State's court of last resort. On November 16, 1982 the Court of Appeals handed down its decision affirming the Appellate Division's holding that the errors complained of did not deprive Mrs. Harris of a fair trial. Having gone through the State court system, the case was appealed directly to the U.S. Supreme Court, which declined to hear it.

The story of Dr. Tarnower and Mrs. Harris received much media attention including a television movie and books. A lay researcher who reads the Court of Appeals decision on page 335 of volume 57 of the *New York Reports, 2d series* may be surprised to see that it is only about 20 pages long. The facts of the case had already been determined by the trial court; the appeals courts are generally concerned with whether the law has been correctly applied and do not dwell on previously decided trial issues. Our system for reporting the law documents each step of the case.

REPORTING THE LAW

The Constitution established our judicial system to provide a forum for the prompt and fair resolution of disputes and to provide legal protection for children.

The paper workload resulting from this mandate is increasingly proportionately to the caseload. In 1988 over 3.7 million matters were disposed of by the trial courts in New York State. Because our legal system is based on English common law, the doctrine of judicial precedent or *stare decisis* has had a tremendous impact in the area of law reporting.

Early reports were compiled and published by individuals. These reports are known as "nominatives" because they were referred to by the name of their compiler, who was usually the court reporter. Some reports were private efforts or "unofficials," and others were published by State authority or "official." New York's first court report is Coleman's Cases, published in 1801. It includes cases decided by the State Supreme Court between 1791 and 1800. In 1804 the Legislature approved the appointment of an official court reporter, George Caines, who published the first official reports of the New York decisions in *Caines' Reports*.

Today, the Court of Appeals appoints the State Reporter, who is responsible for the operation of the Law Reporting Bureau located in Albany. The reporter, John Fitzpatrick, and all deputy reporters are required to be attorneys in this State. By Judiciary Law, Section 431, virtually all decisions of the Court of Appeals and the Appellate Division are published. The State Reporter may publish lower court decisions if they are worthy of being reported because of their usefulness as precedent or importance as a matter of public interest. The courts are required to deliver copies of written decisions promptly to the State Reporter. These decisions are known as "slip opinions" and are typed on plain white bond with the name of the case, number assigned to the case (known as the index number in the State courts and the docket number in the Federal), judge or judges deciding the case, text of decision and decision date. If the decision is selected for publication, its next appearance will be in an "advance sheet" ("preliminary print" for the U.S. Supreme Court reports). Advance sheets look like paperback books and provide the researcher with additional information including a summary of the case known as a "headnote," a digest-index, a table of cases and commentaries. These advance sheets are then cumulated into bound volumes.

On the Federal level, the official reporter for the U.S. Supreme Court is *U.S. Reports*. The *Federal Reporter* covers the circuit court of appeals, while the *Federal Supplement* reports some of the district court cases.

In addition to the official and unofficial reports that form the bulk of legal reporting, there are some specialized newsletters, looseleaf services and online databases that can be helpful in finding the most recent cases. Since 1888 the *New York Law Journal* has been published as a daily legal newspaper that

CITING A CASE

How do court reporters, attorneys and others identify a particular case? How about a legal proceeding with an 81-word title: "In the Matter of the Application of Children of Bedford, Inc., Petitioner, for a Judgment Pursuant to Article 78 of the Civil Practice Law and Rules Annuling the Determination Entered October 26, 1987 Declaring and Ordering that a Certain Book entitled "Stranger in Two Worlds" written by Jean Harris is subject to Executive Law Sect. 632-a v. Angelo Petromelis, Gennaro A. Fischetti, George L. Grobe, Jr. and Diane McGrath, constituting the Crime Victims Board of the State of New York, Respondents." Most people would find this title too unwieldy for everyday use. Thus, the case is cited by the "short title" assigned by the court reporter, and this title appears at the top of the page where the case begins in the reports.

The citation for this case becomes *Children of Bedford, Inc. v. Petromelis*, 143 *Misc.2d* 999, 541 *N.Y.S.2d* 894.

A case is always cited to the official report authorized by the court, where there is one available, and the parallel citation to the unofficial report is optional. In this example, the researcher would look for volume 143 of the official source, *Miscellaneous Reports, 2d Series* (currently being published by Lawyers Co-operative Publishing Company) at page 999; or to volume 541 of the unofficial *New York Supplement, 2d Series* (published by West Publishing) at page 894. The text of the decision is identical.

includes all Court of Appeals decisions, Appellate Division, First and Second Department cases; selected opinions of lower courts, which may not be published anywhere else; court calendars; and articles of interest to the legal community. The *Upstate Legal Record* began publication in 1986 on a bimonthly basis and includes summaries of recent Third and Fourth Department cases as well as other significant New York and Federal decisions. The *Buffalo Law Journal* and the *Daily Record* contain local court information and calendars for the Buffalo and Rochester areas respectively.

In addition to the WESTLAW and LEXIS services, the N.Y. Court of Appeals has an electronic bulletin board available by subscription. It is possible to have decisions from the highest Federal and highest State court within hours of their issuance.

Generally, however, most of this country's litigation is conducted on the state trial level, and perhaps 10 percent of cases are reported. The researcher must contact the local court to obtain copies of unreported decisions. The trial cases that are reported along with appellate level litigation are usually available in law libraries with substantial collections as well as from the clerk's office in the court.

Other court literature includes official court rules and forms published in Title 22 of the *Official Compilation of Codes, Rules and Regulations of the State of New York*, known as the *NYCRR*. Records and briefs, also called cases and points, provide the most comprehensive material on a case and can include motion papers, affidavits, trial testimony, exhibits, arguments and briefs of counsel and the lower court's decision. They are used by judges for appellate review. In *Peo-*

ple v. Harris, 57 *N.Y. 2d* 335, mentioned earlier in this article, the trial transcript was over 9,700 pages, and the entire record and brief including the transcript fills over four reels of microfilm. In New York, the State Library has the largest collection of records and briefs, and some law libraries have partial holdings.

Court records such as wills, naturalization papers and property deeds have been abstracted by some regional genealogical societies and some have been microfilmed by the Family History Center staff of the Church of the Latter Day Saints.

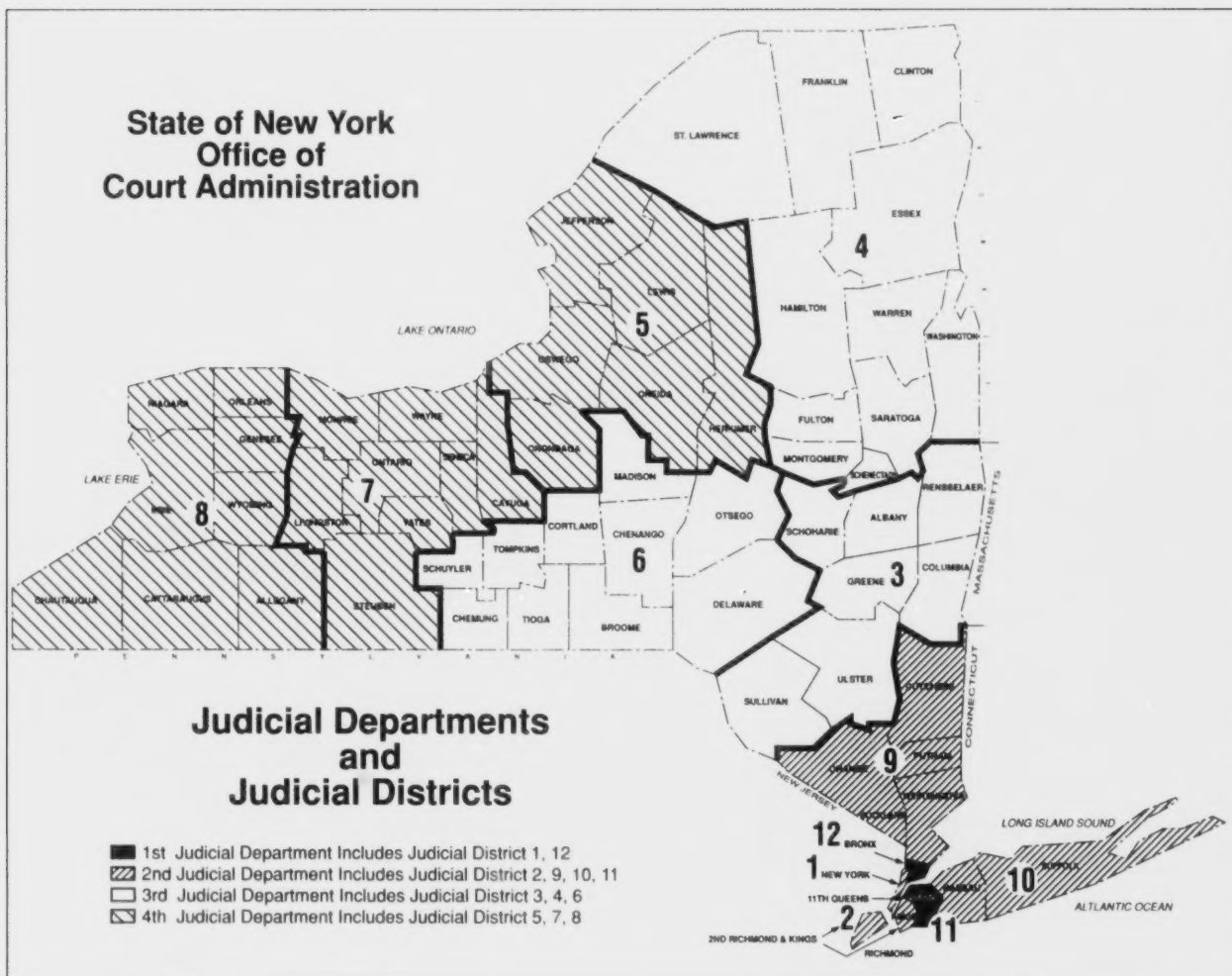
The court structure is complex and its literature is voluminous. For more information and insight into the courts and the litigation process, a selected bibliography is appended.

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Judicial Departments and Judicial Districts

-  1st Judicial Department Includes Judicial District 1, 12
 2nd Judicial Department Includes Judicial District 2, 9, 10, 11
 3rd Judicial Department Includes Judicial District 3, 4, 6
 4th Judicial Department Includes Judicial District 5, 7, 8



THE USE OF INTENT IN NEW YORK STATE LAW — RESOURCES AND SEARCHING AIDS

By Robert A. Carter, Senior Librarian, New York State Library*

The search for Legislative intent, that is, the attempt to establish the meaning of a statute by such extrinsic materials as committee reports and memoranda, poses special problems for the researcher of New York State law. Unlike Federal law, which has diverse sources of legislative intent for every law and excellent official and unofficial finding guides, a search for sources of legislative intent in New York State can be exasperating and, in many cases, impossible.

One of the major reasons for the contrast in degree of difficulty between the two bodies of law rests with the difference in their governments' legislative procedures. When a Congressional committee approves a bill for consideration by the full House of Representatives or Senate, it must be accompanied by a written justification; similarly, a conference report must accompany any bill coming out of that meeting. In New York State, there is no written report accompanying a bill reported out of committee and the Legislature does not use a conference system.

GOVERNOR'S BILL JACKETS

What, then, does one do to determine legislative intent in New York State? The most popular source of this information is the Governor's bill jacket because it is often the only source of legislative intent, it is easy to order (the researcher only needs to know the year and chapter number of the law in question), and people are (often unduly) optimistic about its contents. Bill jackets contain solicited and unsolicited memoranda, letters, telegrams, etc. that have been sent to the Governor's office after the bill has been approved by the Legislature and before the Governor has approved or vetoed it. Included are the introductory memoranda from the sponsoring legislator explaining why he or she introduced the bill and desires its enactment and communications for and against the bill from other legislators, lobbyists, administrative agencies, bar groups and private citizens. Needless to say, all these memoranda and letters do not share equal importance. The most significant memorandum would be from the person, agency, or group responsible for the bill's origin, with the others treated as secondary

appendage for the elucidation of legislative intent. (See Judge Fuld's decision in *Matter of Delmar Box Co.*, 309 NY 60, for an official version of this viewpoint.)

The Governor's Office transfers bill jackets to the State Archives and Records Administration approximately two years after the conclusion of the legislative session. The jackets are available for research use in that location and are eventually microfilmed by the State Archives. Copies of the microfilm, including bill and veto jackets dating back to 1921, are held by the State Library and by various other libraries in New York.

The use of bill jackets poses a problem.

IMPORTANCE OF OTHER SOURCES

The use of bill jackets poses a problem: the fostering of the belief that they are the sole repository of material on legislative intent. Although this is often the case, the possibility of the existence of a report or other relevant records or memoranda from an official or unofficial source should not be ruled out. Indeed, there are instances in which a report may be of much greater value than a bill jacket. The enactments of the Penal Law (L. 1965, Chap. 1030), the Criminal Procedure Law (L. 1970, Chap. 996), the Civil Procedure Law and Rules (L. 1962, Chap. 308) and the Estates, Powers and trusts Law (L. 1966, Chap. 952) are four cases in which a researcher would be making a grievous error by relying solely on bill jackets without looking further for information.

ADDITIONAL MEMORANDA

Two other sources of memoranda are the *New York State Legislative Annual*¹ and *McKinney's Session Laws of New York*.² The former, published by the New York Legislative Service since 1946, is valuable because it is relatively inexpensive and easy to maintain, and it omits unimportant or irrelevant material that inevitably winds up in Governors' bill jackets.

* Robert McDonnell, Associate Archivist, New York State Archives and Records Administration, helped prepare this article.

McKinney's Session Laws, in addition to including relevant memoranda, also includes reports from governmental agencies, some of which are discussed below.

A recent source of memoranda is the microfiche collection of introductory memoranda on all bills introduced in the Legislature since 1983. This collection, which the Legislative Library in the State Capitol compiles and gives to the State Library, is invaluable because it documents the legislative intent of bills that were predecessors to the bills that eventually became law. It is also important for proposed Constitutional amendments, which are not included in the Governor's bill jacket collection.

SEARCHING FOR REPORTS

Location of reports by legislative committees, administrative agencies, bar associations, and similar sources gives researchers the most difficulty. Even if one is especially diligent in determining whether a report does exist, there still remain a number of hurdles that must be negotiated before the search is successful. One persistent obstacle is the lack of subject access to reports written before the mid-1970s in general and the 19th Century in particular. The main problem with those of the 19th Century is that they were usually buried in the Assembly and Senate document series but were not cataloged separately, with their own subject headings. (The Legislature issued Assembly and Senate documents as separate series from 1830 to 1918 and continued the series as a combined legislative document series from 1919 to 1976. There has been no equivalent to this series since 1976, despite sporadic attempts to revive it.)

GUIDES AND INDEXES

One guide to these documents is volume 31 (New York) of Adelaide R. Hasse's *Index of Economic Material in Documents of the States of the United States*,³ published in 1907 by the Carnegie Institution of Washington. This remarkable work, while providing subject access to Assembly and Senate administrative agencies, is nevertheless limited by its arcane subject approach and its limitation to economic materials. The Legislative and Governmental Services section of the New York State Library has prepared, and expects to publish in the near future, a multivolume index to the 1830-1918 Assembly and Senate document series.

Indexing of New York State documents in the 20th Century, while still not as efficient or as thorough as that for Federal documents, nevertheless is better than that of the 19th Century. The State Senate's *Cumulative Index to Joint Legislative Committees and Selected Temporary Commissions and Alphabetical List of Chairmen and Vice-Chairmen Thereof*, 1900-

1950,⁴ and a 1950-1965 *Supplement*⁵ provide broad subject access to legislative documents for the time period covered. In 1986 the State Library published the seven-volume *Annotated List and Indexes of the New York State Legislative Document Series, 1919-1976*.⁶ Indexing is provided by subject, key word (in title) and chairperson. Also published in 1986 by the State Library was the *Annotated List and Indexes of Reports of New York State Governor's Committees and Task Forces, 1925-1985*.⁷ This should be used in conjunction with the previously mentioned publication, since publications of most of the Governor's committees cited were not legislative documents.

Subject access to all New York State documents (other than some ephemera received by the State Library since 1973) is provided by the State Library's annual *Dictionary Catalog of Official Publications of the State of New York*.⁸ Another resource published by the State Library is *New York State Documents: An Introductory Manual*,⁹ written and compiled by Dorothy Butch. It covers "general information sources about the State government and its various organizations, constitutions, statutory laws, and legislative, executive and judicial publications."

REPORTS OF ADMINISTRATIVE AND JUDICIAL SOURCES

Other sources of legislative intent are the annual reports of administrative and judicial agencies. Prominent, but not by any means the only examples of the former are the annual reports of the Departments of Banks and Insurance. If a researcher discovers, or even suspects, that an administrative agency was responsible for the origin of the law in question, that agency's annual reports, if they exist, should be checked.

The Law Revision Commission has been issuing its annual proposals since 1935. Before 1970 these reports were issued in bound volumes and included extensive background reports as well as thorough justifications for the Commission's proposals. Since 1970 its reports have been restricted to the proposals, with justifications, and have been issued in soft cover. The Commission's proposals have also been included in *McKinney's Session Laws of New York* since that publication's inception in 1951.

1935 also saw the origin of an annual series forwarding the judicial branch's legislative recommendations. Those are contained in the annual reports of the Judicial Council (1935-1955), the Judicial Conference (1956-1978) and the Chief Administrator of the Court (1979 to present). These reports have also been included in truncated form since 1951 in *McKinney's Session Laws of New York*. The Judicial Conference

has also issued separate reports on proposed amendments to the civil Procedure Law and Rules (1964-present, also in *McKinney's Session Laws*) as well as the report of its Family Court Advisory and Rules Committee (1976-present).

GOVERNOR'S SPEECHES AND MEMORANDA

The last important source of legislative intent is the speeches and memoranda of the Governor. They are found in the *State of New York. Messages from the Governors*,¹⁰ edited by Charles Z. Lincoln, 1683-1906. Approval memoranda are also included in the Governors' bill jackets, the *New York State Legislative Annual*, *McKinney's Session Laws of New York* and the *Legislative Digest*¹¹ (successor to the *New York Legislative Record and Index*).¹² The Governors' annual messages to the Legislature are included in the Senate and Assembly and Legislative document series (as well as other important speeches). While the Governor's approval memoranda are not usually prolix, they are a good source for overall State government policy and information concerning the originator of the bill being approved.

LEGISLATIVE SOURCES

Legislative debates are of uncertain value since judges often denigrate their value in determining legislative intent (see, for instance, *Board of Education of City School District of City of New York*, 88 Misc. 2d 179, 185). Nevertheless, debates do provide indications of the concerns of legislators, including bill sponsors, as bills come to the floor of the State Legislature for discussion and vote. Senate floor debate transcripts can be consulted by contacting the Senate Communications Office (for current year transcripts) and the Secretary of the Senate (for previous years' transcripts). The Assembly debate transcripts are held by the Assembly's Office of Public Information for the most recent ten years. Older transcripts, dating back to 1974, are available in the State Archives.

Testimony given at public hearings held by Senate and Assembly committees can be examined for the background of issues that are the subjects of legislative proposals. Researchers should be aware, however, that hearings on a topic may be held a year or more prior to the introduction of a bill on that matter. The Legislative Library and the State Archives and Records Administration are currently cooperating to locate and microfilm committee public hearing collections. Transcripts of individual hearings are being cataloged as part of this project. Copies of the microfilm will soon be available in the State Library and in other New York libraries.

Other records that may be useful for studying leg-

islative intent include bill files of legislative leaders and bill and subject files of Senate and Assembly committees. Although not all such records are preserved, the State Archives and Records Administration has acquired some bill and committee subject files from recent years. Researchers should contact the State Archives to learn of specific holdings.

OPINIONS OF ADMINISTRATIVE AGENCIES

Opinions of administrative agencies are even farther down the legislative intent importance scale, since they reflect the thinking of those who had nothing to do with the bill's origin or enactment and they were issued after its approval, sometimes many years later. Although these opinions are not binding on their final decision, judges do take them into consideration when determining legislative intent. For more information see *Sources of Published and Unpublished Administrative Opinions in New York State*,¹³ published by the State Library in 1985.

INTENT OF THE CONSTITUTION

Legislative intent of the New York State Constitution offers a special challenge, since there are no bill jackets covering this area of law. This unfortunate state of affairs exists because after the Legislature approves a proposed constitutional amendment for the required second time, it goes directly to the Secretary of State and then on the ballot in November, bypassing the Governor's office. For intent, reliance must be placed on committee reports, memoranda, Governors' speeches and debates and records from the State Constitutional Conventions. The State Archives and Records Administration holds some original records deriving from the Constitutional Conventions of 1915, 1938 and 1967. The writer hopes that most of the frustrations surrounding search of this subject have been mitigated by use of his 1988 publication, *New York State Constitution: Sources of Legislative Intent*.¹⁴

In summary, the search for the legislative intent of New York State law is made difficult, and sometimes impossible, by the scarcity of materials available and inadequate finding aids.

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- ⁴ New York (State). Legislature. Senate, *Cumulative Index to Joint Legislative Committees and Selected Temporary State Commissions and Alphabetical List of Chairmen and Vice-Chairmen Thereof, 1900-1950*, Albany, 1952.
- ⁵ New York (State). Legislature. Senate, *Cumulative Index to Joint Legislative Committees and Selected Temporary Commissions, and Alphabetical List of Chairmen and Vice-Chairmen Thereof, 1900-1950. Supplement, 1951-55 - 1966-74*, Albany, 1952?-1974.
- ⁶ Carter, Robert Allan, *Annotated List and Indexes of the New York State Legislative Document Series, 1919-1976*, Albany, University of the State of New York, State Education Department, New York State Library, Legislative and Governmental Services, 1986, 7 v.
- ⁷ Carter, Robert Allan, *Annotated List and Indexes of Reports of New York State Governors' Committees and Task Forces, 1925-85*, Albany, University of the State of New York, New York State Library, 1986.
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- ¹⁰ New York (State). Governor, *State of New York. Messages from the Governors, Comprising Executive Communications to the Legislature and Other Papers Relating to Legislation from the Organization of the First Colonial Assembly in 1683 to and Including the Year 1906, with Notes*, edited by Charles Z. Lincoln, Albany, 1909.
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- ¹² *New York Legislative Record and Index*, Albany, Legislative Index Co., 1907-1984. (1907-1912 titled *New York Legislative Index*.)
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- ¹⁴ Carter, Robert Allan, *New York State Constitution: Sources of Legislative Intent*, Littleton, CO, Fred B. Rothman and Co., 1988.

RULE-MAKING AND RULE-FINDING IN NEW YORK STATE: THE OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS AND THE NEW YORK STATE REGISTER

By Kate Storms, *IN-FACT*, Rensselaerville, NY*

In 1984, Allan Carter of the New York State Library prepared a 36-page book entitled *The Official Compilation of Codes, Rules and Regulations of the State of New York and the State Register: Their History and Use*, giving a historical overview of the publication of administrative rules and regulations by the State. (Single copies are available from the Legislative and Governmental Services section of the New York State Library. Specify publication S-5.) With the exception of a few subscription price changes, an increased number of *NYCRR* volumes and some new types of rule-making activity, the basic information given there remains accurate. While Carter's approach is straightforward and objective, I am here taking a more subjective approach, explaining why the information contained in these publications is important to us both as librarians and as citizens, and referring to methods I have used to find information on rules and regulations.

ADMINISTRATIVE LAW

Any number of times I have been on reference duty in a law library when someone has come in, scrutinized the thousands upon thousands of law books and then asked, "Where's the law?" In this situation I first try to determine the broad category of law that the patron wants to research and whether it is on the Federal or state level. My mental checklist for narrowing down the type of law includes: statutory law (passed by a legislative body), constitutional law, case law (based on court decisions) and administrative law.

Administrative law is basically that generated by an executive agency of government in conjunction with that agency's power to create rules and regulations or to interpret those rules and regulations. (The terms rules and regulations are interchangeable. New York refers to the publication and adoption of new rules and regulations as the "rule-making process.") When all is said and done, it is likely that, of all types of law, these rules and regulations have the greatest impact on our day-to-day lives.

Building and fire codes are part of administrative law. Allowable food additives, the amount of the fee paid to enter a State park, standards for drinking water supplies, methods for the distribution of theater tickets and depositor savings information have all been determined by one of the agencies of the executive branch of State government. These codes (a com-

pilation of existing laws, systematically arranged), rules and regulations direct our actions; they regulate our lives.

THE OFFICIAL COMPILATION (NYCRR)

Article IV, section 8, of the New York State Constitution, adopted in 1938, created the *Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR)*. It states:

no rule or regulation made by any state department, board, bureau, officer, authority or commission, except as such relates to the organization or internal management of a state department, board, bureau, authority or commission shall be effective until it is filed in the office of the department of state. The legislature shall provide for the speedy publication of such rules and regulations by appropriate laws.

The statutes charge the New York State Department of State with the responsibility of reviewing, accepting, organizing and publishing all rules, regulations and codes adopted in New York State. The only **official** version of the rules and regulations of New York State's executive agencies is the *NYCRR* published by the New York State Department of State. Executive Law, section 102, provides that:

- No code, rule or regulation becomes effective until it is filed with the Secretary of State (or until a specified later effective date)
- The original of any new code, rule or regulation is immediately filed in the office of the Department of State
- The Secretary of State must "prepare a master compilation of all such codes, rules and regulations in such form and order as he may determine"
- The compilation is known as the *Official Compilation of Codes, Rules and Regulations of the State of New York* and "shall presumptively establish the codes, rules and regulations of the State of New York"

Section 102 also states that the official supplements to the *NYCRR* "shall presumptively establish any changes in such codes, rules and regulations and any new codes, rules or regulations....Nothing in such offi-



cial compilation or any new edition thereof or official supplement thereto shall be construed as repealing or amending any code, rule or regulation adopted by any department...of the state, and in the case of any inconsistency arising through omission or otherwise between the official compilation and such codes, rules and regulations as are filed in the office of the Secretary of State, the latter shall prevail."

The law further mandates that the Secretary:

- prepare a master compilation of all codes, rules and regulations..., in effect on the first day of January 1945 "and adopted or amended thereafter";
- make readily available in his office, for public inspection and copying, the full text of the master compilation;
- make photocopies of any codes, rules and regulations available to the public upon payment of a fee not to exceed 25 cents per page and certify them upon request;
- cause such compilation to be printed.

The law also requires that "each agency shall make readily available at a designated office or offices of the agency, for public inspection and copying, the full text of all codes, rules and regulations adopted by the agency."

From the original five-volume set prepared in 1945, the *NYCRR* has grown to its present size of 65 volumes. It is growing in size at the rate of about five percent each year. For 15 years the *NYCRR* was published as an annual and contained only the rules and regulations in effect at the time of publication. Since 1960, each regulation has been followed by a historical note that indicates the filing date and effective date of any change that has occurred since the original adoption of a rule.

Proposed adoptions are received by the Department's Division of Information Services and reviewed to ensure they meet criteria set forth in the State Administrative Procedure Act and *NYCRR* Title 19 (State). Once accepted, filings are compiled into a monthly supplement in camera-ready form and turned over to an outside vendor for printing. For the past 30 years, the printer for the *NYCRR* has been Lenz & Riecker, Inc., the successful bidder in the State contract bidding procedure. The current contract is due to expire with the publication of the December 1990 *NYCRR* supplement. A clause in the contract ties the end of the contract to the date of the supplement. Unfortunately supplementation of the *NYCRR* is months late. There are a number of reasons for the delay, including the retirement of several employees of the Division of Information Services, a State freeze on hiring new employees, and the switch from one computerized typesetting system to another.

In compliance with the portions of the Executive Law cited above, the Division of Information Services maintains a complete set of the *NYCRR* for public inspection and also retains all superseded looseleaf pages that have been removed from the official compilation during supplementation. The staff will research parts of the *NYCRR* and provide photocopies of specific portions. An attorney who needs to know the language of a particular rule as it was on a given date may need to have the photocopies certified by the Secretary of State in order to admit them into evidence. If certification by the issuing agency is not essential, it may be quicker to call the New York State Library or one of the other large law libraries in the State. If a given library does not retain all superseded pages, a staff librarian will know of the nearest library that does.

The Division of Information Services retains copies of *NYCRR* filings, that is, the versions of the rules that are ultimately adopted. Two to three years of these filings are kept at the Division's office. After that they are officially transferred to the State Archives.

If a patron needs to interpret a rule or wants a legal opinion concerning a portion of a rule, it is best to call the counsel's office of the agency that produced the rule. The name of the current agency contact person is listed in any recent rule-making from that agency in the *New York State Register*.

NEW YORK STATE REGISTER

In general, the State Administrative Procedure Act (SAPA) establishes a three-step procedure for all rule-making activities:

1. proposal of the rule;
2. the receipt and consideration of public comment;
3. the adoption, filing and publication of the rule.

Notice of current State rule-making activity is published in the weekly issues of the *New York State Register*. As with the *NYCRR*, the production staff of the Department of State's Division of Information Services prepares the camera-ready copy for each Wednesday's issue, but it is printed and distributed by a contract printer. The current holder of the three-year contract is Eagle Printing Co., Inc., of Albany. However, unlike that of the *NYCRR*, the subscription list is handled by the Department of State, and all subscription fees accrue to the State.

Up-to-date information on the rule-making process is outlined on pages 264-65. Similar information can be found in the weekly *New York State Register*, and it is also available from the Division of Information Services as a brochure.

The schematic description on page 265 refers to other agencies of government that also have a role in

RULE MAKING IN NEW YORK

The Role of the New York State Register

The State Legislature is responsible for enacting the general laws in New York State. In doing so, the Legislature often delegates "rule making powers" to the State's administrative departments and agencies. These agencies are then empowered to develop and enforce the rules and regulations which they find necessary to implement the broad policies adopted by the Legislature.

The phrase "rules and regulations" is often confusing. Actually, the two words are interchangeable. In New York State, the term "rule" is used most frequently. Hence, the procedures which are followed by State agencies when adopting rules are known as "the rule making process." This process is designed to ensure that the public has an opportunity to comment on, and participate in, the adoption of such rules.

The Department of State is responsible for producing New York's weekly *State Register*, which plays a central role in the rule making process. The *Register* contains notice of newly proposed rules as well as proposed changes to existing rules. Included in a "notice of proposed rule" are the terms (text) of the rule; the time, date and location of any public hearing(s), if required; and the name and address of the agency contact person to whom comments can be addressed.

In many cases, public hearings will be

held around the State in order to better provide people with an opportunity to argue for or against a proposal. If no hearing is scheduled, or if you cannot attend a hearing, both written and oral comments must be taken into consideration by the agency prior to adoption of the rule. Because it is important for citizens to have this opportunity to comment, the Legislature has provided that agencies must accept public comment for at least 45 days after the proposal is first published in the *Register*. Agencies often allow more than 45 days for comment and hold public hearings although they may not be required to do so.

After publication in the *Register* and receipt of public comment, the agency may either adopt or withdraw the proposal. If adopted, the agency must file the full text of the rule with the Department of State. At the same time, a "notice of adoption" is published in the *Register*, indicating that the proposal has, in fact, been adopted. If the final rule differs from the proposed rule, this notice will describe the changes. If the proposal is withdrawn, the agency cannot adopt the same or a similar proposal without first providing another opportunity for public comment.

To help readers keep track of rule making activities, each weekly *Register* contains an Action Pending Index, which lists all pro-

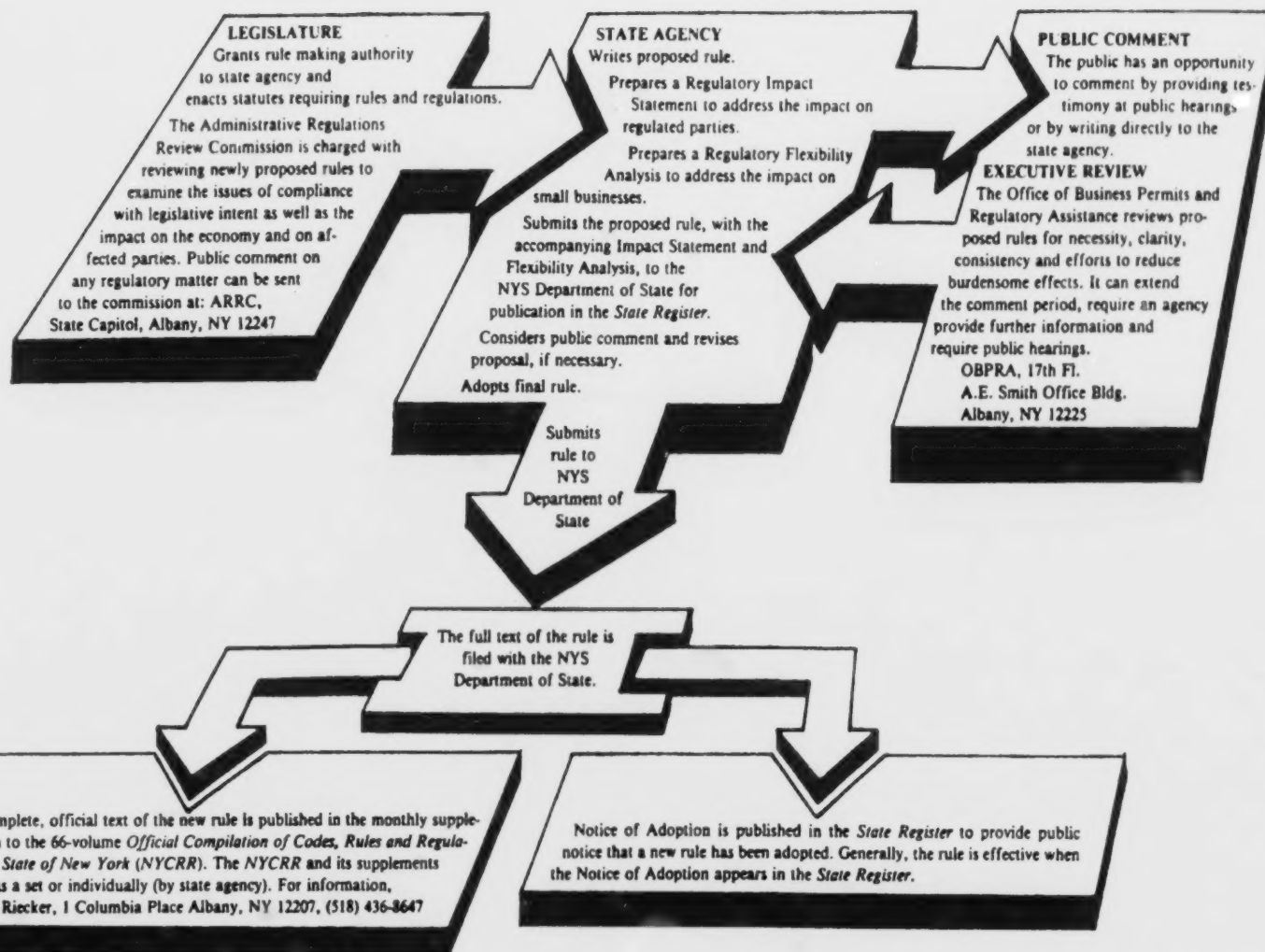
posed rules that are still under consideration. In addition, a complete, cumulative (by calendar year) list of all rule making activities is printed as a supplement to the *Register* four times each year. This Quarterly Index includes the date each rule was proposed, adopted or withdrawn. By using these references, readers can quickly and easily learn the status of any proposal.

In addition to rule making activities, the *Register* also publishes the State's financial statements, reports of the NYS Banking Department, stock security notices, notices of State contracts that are open for competitive bidding, the full text of the Governor's Executive Orders, summaries of the Opinions of the Attorney General, a calendar of legislative public hearings, and notices from the courts of New York State.

Register Subscriptions

Each subscription to the *State Register* includes 52 weekly issues and the Quarterly Index supplements. The cost of a one-year, first-class mail subscription is \$80; second-class mail is \$40, individual copies are also available at \$1.50 per copy. Checks or money orders, made payable to the NYS Department of State, should be sent to:

NYS Department of State
Division of Information Services
162 Washington Avenue
Albany, NY 12231



This material was excerpted from the brochure *The Rule Making Process; The Role of the New York State Register*, published by the New York State Department of State and available upon request.

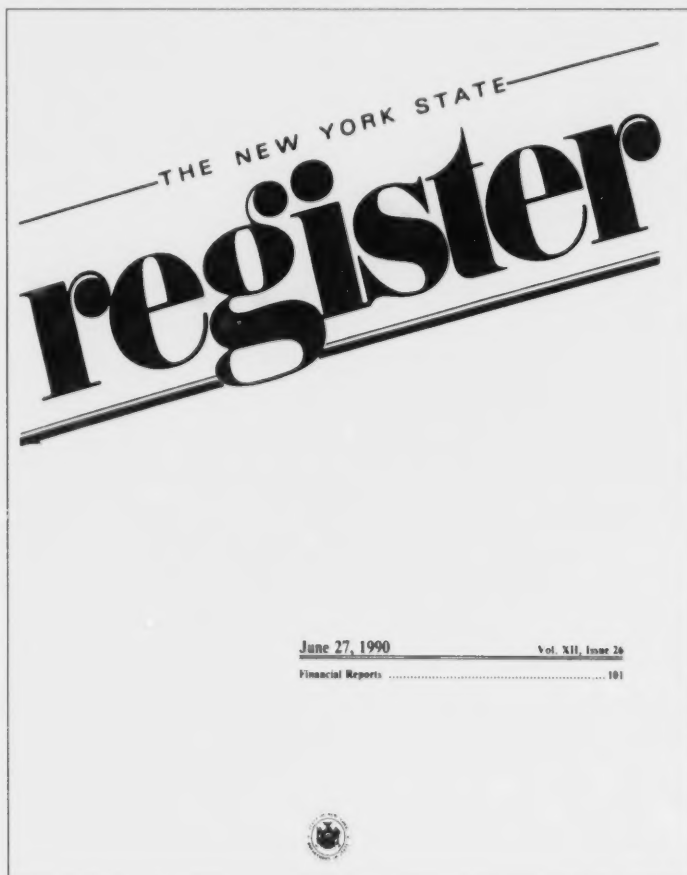
the rule-making process: the Administrative Regulations Review Commission (ARRC) of the Legislature and the Office of Business Permits and Regulatory Assistance (OBPRA) within the Executive. The New York State Legislature has charged ARRC with reviewing newly proposed rules. Under the State Administrative Procedure Act (SAPA), agencies must send copies of new proposals to ARRC at the same time that they are sent to the Department of State. Both the Senate ARRC and the Assembly ARRC, therefore, have copies of pending proposals. OBPRA, under SAPA, also receives a copy of any new proposal.

Each of these offices accepts inquiries concerning proposed rules that are going through the pre-adoption rule-making process. However, the best source for information on a proposed rule that is not printed in full in the *New York State Register* is the agency contact person whose name and phone number is listed with each rule-making entry. (See the section of each entry, which begins "Text of proposed rule..." or "Text of rule....")

IMPROVING THE PROCESS

Rule-finding could be made easier through more timely NYCRR supplementation, development of a common format and indexing for both the *NYCRR* and *The State Register*, and electronic access to rules and rule-making information. The Department of State's commitment to prompt supplementation is important to all users. If the Department were to treat the entire rule-making process as a continuum, there could be a common format and indexing for both the *NYCRR* and *The State Register*, and people who need information about rules and rule-making would have easier access to it. Today's technology makes it possible for all publishers of legal information to make it available more quickly and completely. There is unanimous agreement that there should be electronic access to the *NYCRR* database—direct, user-friendly, computer-assisted searching of the database through an intelligent indexing system. These three initiatives would place New York in the forefront of provision of administrative law information.

* Editor's note: This abbreviated article is based upon a more detailed manuscript submitted by the author.



LEGAL LITERATURE AND INFORMATION SERVICES FROM THE NEW YORK STATE LIBRARY

*By Sally Legendre, Associate Librarian,
and Dawn Tybur, Senior Librarian, New York State Library*

When the State Library's doors open each work day at 9:00 a.m., chances are that half of the people who pour in from the lobby are there in search of legal information. The New York State Library has an excellent collection of material for those doing legal research. About one half of the material on the public floor is legal literature. In addition to using its large law collection, legal research patrons often find useful items in the Library's collections of New York State documents, patents, Governor's bill jackets, legislative reference materials, science and technology, and humanities materials.

THE LIBRARY

The State Library was established by an act of the State Legislature on April 21, 1818. The original State Library was virtually a *law* library.¹ In its first annual report, for the year 1818, its holdings were described, and most of the approximately 600 volumes were law books.² The purpose of the Library was to be "a public library for the use of the government and people of this State."³

Originally, the Governor, Lieutenant Governor, the Chancellor and the Chief Justice of the Supreme Court constituted the Board of Trustees for the Library. During its early history various State officers served as *ex officio* trustees. On May 4, 1844, the Regents of the University of the State of New York became its trustees,⁴ and the Library remains under the Board of Regents today.

At first the Library was housed in a room in the Capitol. In 1854 it was moved to a building constructed specifically for it, facing State Street and connected to the Capitol. In 1883, while a new Capitol was being built, the State Library building had to be demolished. The Library was then housed in the new Capitol Building, on the third, fourth, fifth and sixth floors. Space soon became a serious problem, and many duplicates had to be housed in a warehouse.

In recognition of the need for more space for the State Library collection, the Legislature enacted Chapter 678 of the Laws of the State of New York, 1906, providing for a separate building for the New York State Education Department, which was to include the State Library. Unfortunately, before the building was finished, a fire in the Capitol on March 29, 1911, destroyed almost the whole Library collection.

In an outpouring of support, people from New York State, the country and even foreign countries offered to help rebuild the collection. Both the Governor and the Legislature recognized the need for funds, and laws were passed in 1911 (Chapter 901) and 1912 (Chapter 521) that appropriated a total of more than one million dollars for the reestablishment of the State Library.

Work was started to rebuild the Library's collections, and in 1912 the State Library was moved to the Education Building. By 1948, the Temporary State Commission on Coordination of State Activities noted that "...the Law Library is severely handicapped by lack of space."⁵ To correct this, money was appropriated by the Legislature in 1953 (Chapter 23) and reapropriated in 1954 (Chapter 44), 1955 (Chapter 52) and 1956 (Chapter 60) for alterations to the Law and Medical Libraries. On August 26, 1957, the remodeled Law Library was opened to the public with its collection rearranged for more effective use.

The need for more space and the construction of the Empire State Plaza led to the Library's move in 1978 to its present location in the Cultural Education Center. The Library occupies space in this building in the basement, on the sixth, seventh and eighth floors and on part of the 11th floor. Most of the Library's collection is in closed stacks with the seventh floor open to the public. However, a large portion of the current law materials is on the seventh floor, and, although most law materials do not circulate, they are available to the public on open stacks for onsite use.

The most recent change occurred in 1989, when material on the public floor was moved to provide for more effective use and to reflect a reorganization of Reference Services that provides improved access to the collections.

REFERENCE SERVICES

The Reference Services Section of the State Library "has responsibility for providing access to information to help meet the research and related needs of the State government directly and the needs of the people of the State onsite and indirectly through interlibrary loan."⁶ When the collection was housed in the Education Building, there was a separate law collection and staff to provide service from it. When the Library moved to the Cultural Education Center, staff from

the former Education, Legislative Reference and Law libraries were merged to form the Law/Social Sciences section of Reference Services.

In 1989, management and staff recognized the need for additional consolidation to cope with staff reductions and to provide more consistent and efficient service. Therefore, formerly separate sections for Law/Social Sciences, Science/Health Sciences/Technology and Humanities/History were combined. Now there is one reference desk with staff answering questions in all subjects. After consultation with staff, Library management obtained a grant from the New York State/Public Employees Federation Agency Specific Training Grant Program to provide training sessions in the State Library. SUNY at Albany library science professors presented a course designed for State Library staff members unfamiliar with resources outside their areas of expertise. The staff training program continues through tutorials and practice exercises in which staff work with difficult questions and discuss with subject experts the best strategies to follow to answer the questions.

Some of the services provided to the public by Reference Services are the following:

- instructing onsite patrons in the use of the public catalogs and compact disk (CD-ROM) databases on the public floor (Both kinds of electronic databases are extremely popular)

- answering directional or ready-reference queries
- checking Library catalogs and indexes to see whether the Library owns a specific item
- verifying or locating hard-to-find material requested on interlibrary loan,
- providing material for subject requests submitted through interlibrary loan
- answering phone calls or correspondence as follows:

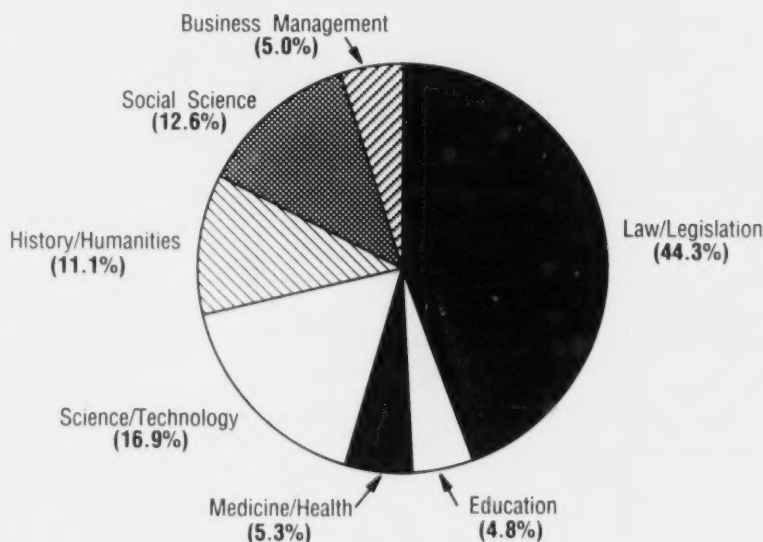
for widely held material, the patron is referred to local resources;

for unique material short enough to copy, the material is copied for a photocopying fee;

for loanable, unique material, bibliographic information is provided so the item can be requested through interlibrary loan.

One service provided in the past — rush service — is not always available now. Because of staff shortages, service on a rush basis depends on the work load of the librarian at the time. Service to the Library's primary clientele — New York State Government employees — always comes first. Lawyers and law libraries are second on the priority list. New York State's registered attorneys and licensed physicians are eligible for direct borrowing. The general public can only borrow through interlibrary loan.

LEGAL AND LEGISLATIVE RESEARCH QUESTIONS PREDOMINATE AT THE NEW YORK STATE LIBRARY



Source: Logs of 4,547 reference questions requiring a search of 10 minutes or more, April 1989 - March 1990

A photocopy of material requested through the New York State Interlibrary Loan (NYSILL) system is provided free of charge for the first 33 pages. As an alternative to interlibrary loan, New York State lawyers can request unique material (material held only by the State Library in the region) by phone and receive photocopies for set fees. Fiche-to-fiche copies and microform-to-paper copies are also supplied for set fees. The key word for direct orders is "unique." If the material requested is available elsewhere, patrons are referred there first, thus saving limited State Library staff time to provide access to material unique to our collections. These service restrictions are mentioned so readers can avoid the frustration of contacting the State Library inappropriately.

COLLECTIONS

The State Library has a current and comprehensive law collection of Federal and state, primary and secondary materials. Library depository and exchange programs provide sets of court opinions, session laws and official codes. Indexes, digests and consolidated

laws are obtained through commercial publishers. These sources enable the library patron to search the law in a particular jurisdiction, in the 50 states and at the national level. Even such peripheral things as tax forms for another state can be provided.

The vast majority of patrons are interested in current New York State or local law. They ask such questions as "Were there ever changes in the law concerning the Village of Pawling's water district?" and "What does the State law say about eavesdropping?" Because of the demand, the Library maintains several copies of New York State laws, regulations and court reporters. Although these materials receive heavy use, it is not because they are unique to the State Library; they are available in many public, college and local libraries.

The State Library has many unique and rare materials. Some of the Library's unique law collections were built after an early recognition that the Library should retain and preserve out-of-date and historical New York State law materials. The Library's collections of superseded editions and old laws provide valuable information to the scholar, historian and genealogist, as well as the lawyer.

New York, Jan 27. 1799

Dear Sir

I ought to beg your pardon for not having ^{before} answered your letter of the 12th of Novem^r and 11th of Decem^r — You know the multitude of my engagements — added to them, my health for an considerable time past has been very much impaired — Be assured.

I left a memorandum with the Librarian respecting Mr. Telford's —

As to an Insolvent Law, there are my ideas — There is a serious doubt whether any just Law, passed by a Legislature subsequent to the adoption of the Constitution of the U^{States}, will not be an infringement of that article, which forbids a State to pass "any Law impairing the obligation of Contracts" — I think it the better opinion that it will — What way so effectual to impair the obligation of a contract as to defeat the means which the established laws allow for its enforcement? In the eye of a human forum, the essence of the obligation

Letter from Alexander Hamilton to a Lieutenant General Rensselaer, January 27, 1799, stating in part:

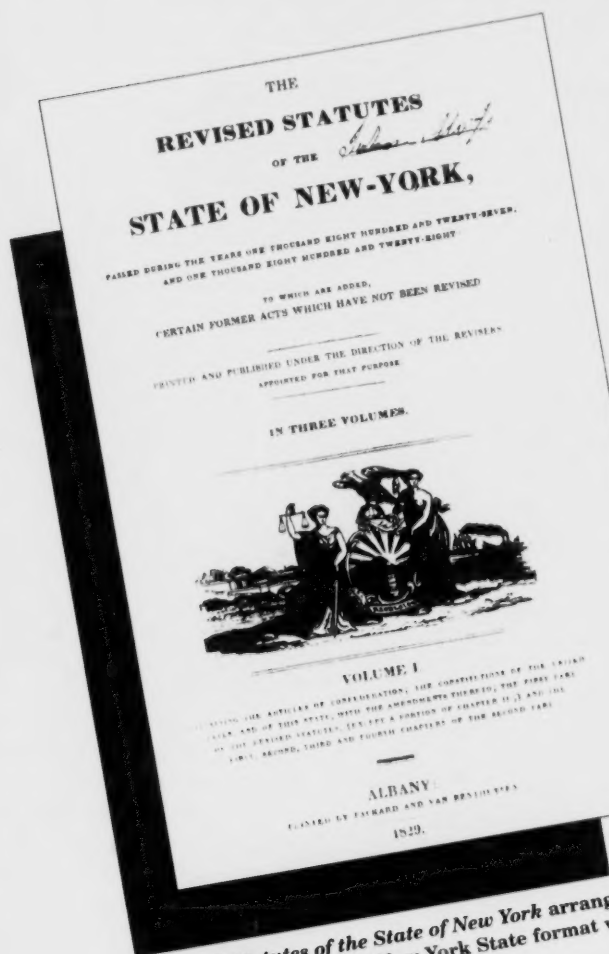
As to the insolvent law, these are my ideas....There is a serious doubt whether any just law, passed by a legislature subsequent to the adoption of the Constitution of the U^{States}, will not be an infringement of that article, which forbids a State to pass "any law impairing the obligation of contracts" — I think it the better opinion that it will — What way so effectual to impair the obligation of a contract as to defeat the means which the established laws allow for its enforcement?....

(Manuscripts and Special Collections, New York State Library)

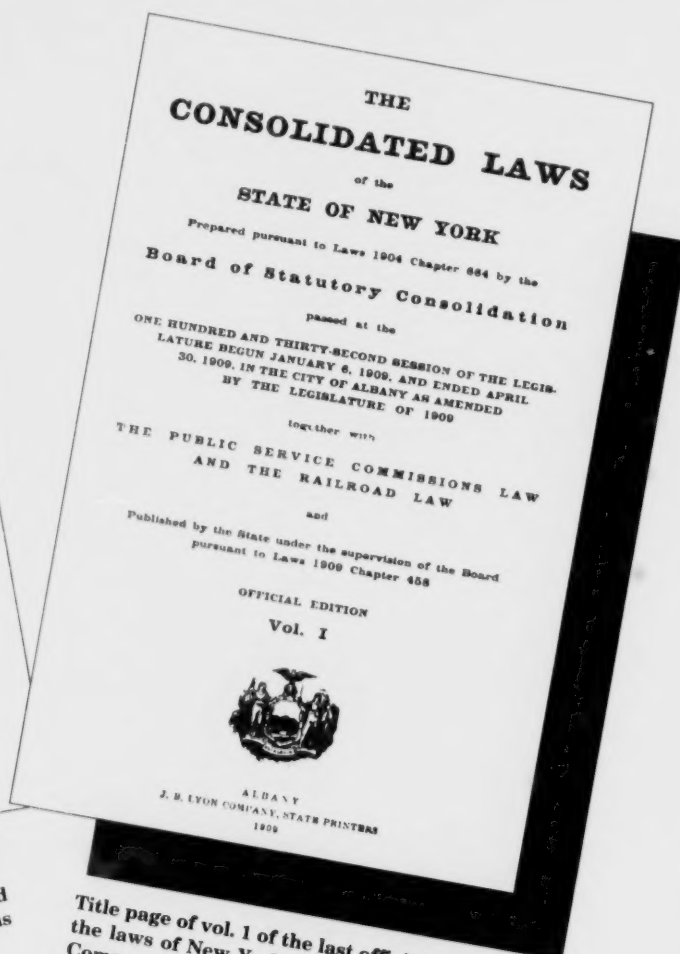
The Library has New York colonial laws and annual State session laws from 1664. In addition the Library has a complete collection of 19th Century compiled laws (a subject arrangement of all laws passed and in effect as of a particular date). The last official New York State compiled law set was printed in 1909. Since that year, New York State compiled laws have been

available only from commercial publishers, and the State Library has retained all superseded commercially printed law materials.

In addition to the annual session laws and the superseded consolidated laws, the State Library has a complete backfile of the *Official Compilation of Codes, Rules and Regulations of the State of New York*. It is



The Revised Statutes of the State of New York arranged State laws by subject. This New York State format was an early model for other states. (Law Collection, New York State Library)



Title page of vol. 1 of the last official consolidation of the laws of New York State, issued by the J.B. Lyon Company, State Printers, in 1909. Subsequent publications of consolidated laws have been done privately. (Law Collection, New York State Library)

this set that provides administrative law promulgated by New York State agencies. Using this collection one could determine that a public building met the fire code when it was built in 1961, that a social worker had the required education courses in 1957, or what the court rules were in 1979. This collection is used very frequently.

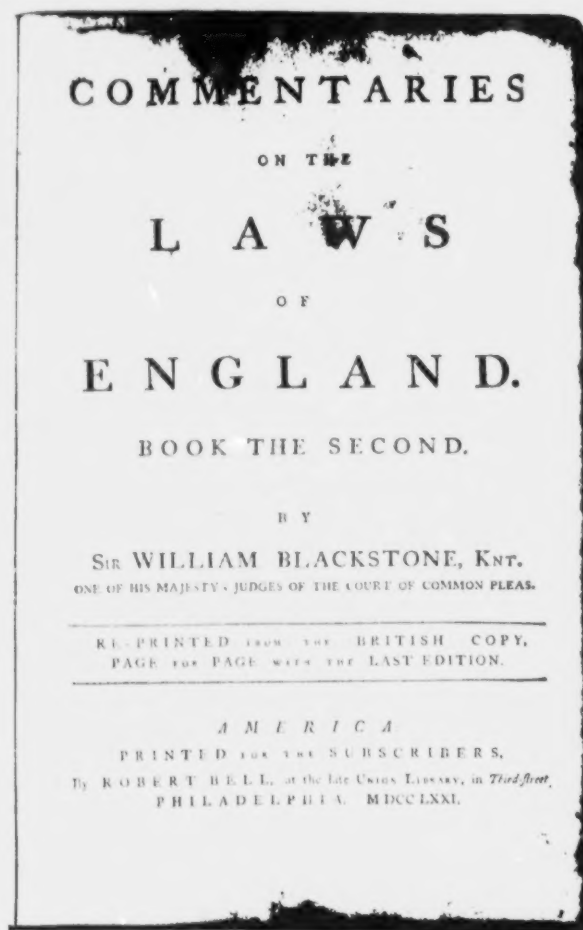
The State Library holds most of the New York court reporters. Current decisions are available in official

and commercially produced series with good indexes, digests and computer online services available. Although indexing is inadequate for the opinions of the earlier courts, the Library holds scattered court materials dating from 1674.

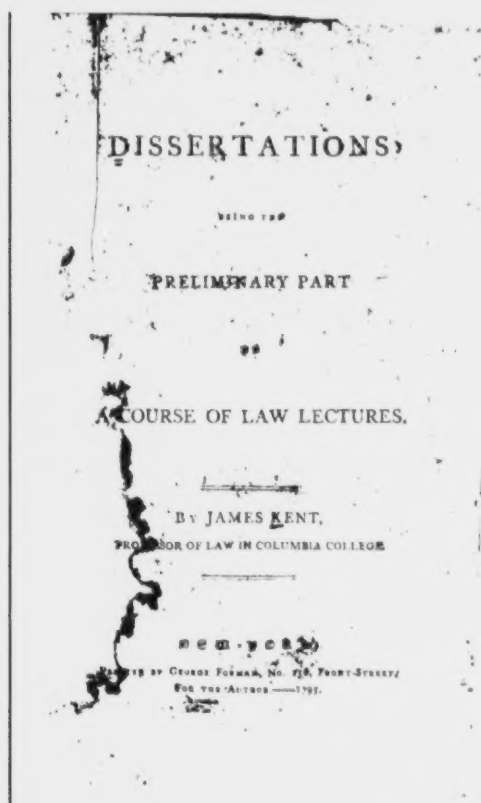
Of value to historians, but used most frequently by lawyers, is the collection of legal records and briefs (papers filed by attorneys with an appellate court). Records and briefs provide details of trial court activ-



Title page of part four of the original edition of the best-known work of the prominent English jurist, Sir Edward Coke: *Institutes of the Laws of England*. Published in 1644, this was the last volume in the set and concerned the jurisdiction of the English courts. (Manuscripts and Special Collections, New York State Library)



Title page of the second book of Sir William Blackstone's *Commentaries on the Laws of England*, an American edition, 1771. The original was published in the period 1765-69). Blackstone gave the first university lectures on English Law (1753) and his lectures formed the basis for these famous *Commentaries*. (Manuscripts and Special Collections, New York State Library)



Title page of *Dissertations, being the Preliminary Part of a Course of Law Lectures* published in 1795 by James Kent (1765-1847). Kent was a New York jurist whose writings were influential in creating the American system of equity satisfaction based on English chancery practice principles. (Manuscripts and Special Collections, New York State Library)

Cambridge June 26 1837

My dear Sir
I received your very interesting letter
of the morning mail, & I can scarcely tell you how
much it gratified me. I at the same time have much
melancholy feeling come over me. I had a painful
experience (under those) I had a painful
experience into a moment in which you were present.
I might not really think you it your own results.
I'm so much wiser & I should not have ventured to
write you respecting the contents of the 11th volume of
Peters, but I was perfectly sure that you had
read it through & I have been, in
deed, exceedingly anxious to know what
you would think of our Labours of the last winter, & what you would
think of the Court. You have completely justified my worst fears,
& my own secret feelings. I concur entirely in your suggestions as
to the present & future prospects of the court. I think it will, &
I fear, it must lose, that strong hold of the public confidence which
it has hitherto been fortunate enough to secure - when we lost Ch.
Justice Marshall we lost our great support, & our truest glory.

So impressed was I last winter, that the Court was changed -
aye & that a sad change had come over us, - that I took it into
most serious consideration, what my true duty was; whether I ought
not immediately to resign, not from resentment, but from consciousness
that I could do no good in future, & whether I might not, by remain-

Letter from Justice Story to Chancellor James Kent
re Charles River Bridge Case.

*Cambridge June 26, 1837

"My dear Sir:

I received your very interesting letter by this morning's mail,
& I can scarcely tell you, how much it gratified me, & at the same
time, how much melancholy feeling came over me. Although I sent
you the Charles River Bridge Case, I did so purposely without note
or comment, so that you own judgment might most freely lead you to
your own results. For the same reason I should not have ventured
to write you respecting the contents of the 11th volume of Peters,
until I was perfectly sure, that you had deliberately read it through
& through. I have been, indeed, exceedingly anxious to know what
you would think of our Labours of the last winter, & what you would
think of the Court. You have completely justified my worst fears,
& my own secret feelings. I concur entirely in your suggestions as
to the present & future prospects of the court. I think it will, &
I fear, it must lose, that strong hold of the public confidence which
it has hitherto been fortunate enough to secure - when we lost Ch.
Justice Marshall we lost our great support, & our truest glory.

So impressed was I last winter, that the Court was changed -
aye & that a sad change had come over us, - that I took it into
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that I could do no good in future, & whether I might not, by remain-

Part of a letter from Joseph Story, Associate Justice, U.S. Supreme Court, to James Kent, who had served as Chancellor of the New York Court of Chancery from 1914-23. The letter concerns Justice Story's fears concerning the then present and future prospects of the U.S. Supreme Court.

(Manuscripts and Special Collections, New York State Library)

ity and the arguments of the opposing parties. The collection begins in 1847 and is so voluminous that much of it is stored offsite. To save shelving and binding costs the State Library began microfilming this collection in the late 1970s. Since then the Office of Court Administration has initiated a program of filming and distribution of Appellate Division records and briefs in microfiche. The State Library has all these fiche and, in addition, most New York Court of Appeals records and briefs in paper or fiche.

Another valuable source of information for researchers is the State Library's full Federal depository collection. Where else could a Connecticut college professor conveniently obtain the text of a 1924 Congressional hearing on a matter concerning China? In addition to an excellent Federal law collection, the Library receives many Federal regulatory publications not available in smaller libraries.

New York State documents also contain much valuable information. Some could even be considered "best-sellers." The State Library has the best collection of New York State documents anywhere. As the State repository the Library receives, among other materi-

als, administrative law materials from New York State agencies. These regulatory publications (decisions, opinions or rulings of State Agency Commissioners or Counsels) are used daily.

Other collections of use to the legal researcher are New York State legislative documents, Governor's materials, treaties, patents, weather data, biographies, industrial standards, census data and business materials. There are even major U.S. and Canadian city telephone books on microfiche.

PRESERVATION

A user of the State session laws might be disturbed at their poor condition. Bindings are loose and paper is brittle and flaking away. The Library staff is concerned about preserving such deteriorating New York State law materials and is drafting preservation policies regarding these collections with the hope of obtaining funds for appropriate preservation measures. In the interim, the Library is making use of New York State law materials provided on fiche and roll film by commercial vendors. As microform copies

of rare or unique items become available, the primary "research" status of the New York State Library law collection will not be affected because of the unique items the Library holds.

USING THE COLLECTIONS

The State Library's various law collections, and those in other areas as well, can be invaluable to anyone doing in-depth legal research. The Library is open to the public Monday-Friday, 9:00 a.m.-5:00 p.m., except legal holidays. Public service desks are located on the seventh floor of the Cultural Education Center on Madison Avenue in Albany. Prospective users coming from a distance may wish to write to determine if the Library has specific material. An appointment may be made with a Reference Services staff member if extensive help will be necessary in using unique materials, or if training is wanted in the use of the Library's online catalog or the many electronic databases available on compact disks.

When it is nearing 5:00 p.m. at the Library, the lights flash to warn users that closing time is near, and the task of closing the library for the day begins.

Users generally try to cram as much activity as possible into their last few minutes of research, and a few must be persuaded to put down their books and perhaps return another day. When the last patrons disappear into the elevators and the doors have been locked, the State Library's staff members can take their leave with the satisfaction of knowing that they have made possible countless searches for information in just one eight-hour day.

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- 1 Breuer, Ernest H., "The New York State Law Library," *New York State Bar Journal*, v36, n4, August 1964. p. 329.
- 2 *Ibid.*
- 3 *Laws of the State of New York*, 1818, Chapter 276.
- 4 *Laws of the State of New York*, 1844, Chapter 255.
- 5 (New York State) Temporary State Commission on Coordination of State Activities, *Second Interim Report*, March 11, 1948. p. 332.
- 6 New York State Library, Reference Services, *New York State Library Draft Reference Services Policy Manual*, 1989. p. 1.

ACCESS TO LOCAL LAWS AND CODES

By Robert A. Emery, Associate Director,
Schaffer Law Library, Albany [NY] Law School

Access to local legislation — enactments of “municipal corporations” — is a perennial legal research problem in New York State. Local municipal corporations include counties, cities, towns and villages. The laws these jurisdictions adopt address such troublesome and common issues as zoning, parking and pet control; yet local laws are perhaps the most inaccessible form of legislation. Many are not published systematically; often they are not codified by subject, leading to frustration for the legal researcher.

TYPES OF LOCAL LEGISLATION

In New York State, the government of local communities is regulated by Article IX of the State Constitution (the “Home Rule Article”) and by the Municipal Home Rule Law and the Statute of Local Governments adopted by the State Legislature. Together these measures provide for the following types of local legislation:

Charters: In a sense, “local constitutions,” establishing the basic framework of city and county governments. These can take the form of local laws, special laws, or combinations of the two.

Local laws: Legislation adopted by local legislatures under Article IX, Section 2, of the State Constitution, which authorizes local communities to legislate with respect to their “property, affairs, and government.” Local laws are the most common form of local legislation.

Ordinances: Local legislation adopted pursuant to authority specifically delegated to municipal corporations by the legislature, as opposed to the direct general grant of authority contained in Article IX of the State Constitution.

Resolutions: Administrative or routine actions taken by local governments, usually to achieve a particular end, rather than to adopt legislation.

Special laws: Statutes passed by the State Legislature affecting one or some, but not all, local governments, usually to provide for some matter concerning which the local community cannot adopt local laws.

General laws: Statutes adopted by the State Legislature that apply to all local governments in a particular class (for example, all towns, as opposed to one individual town).

FILING AND PUBLICATION OF LOCAL LAWS

The statutory requirements for sequential filing

and publication of local legislation serve only formal legal requisites of preservation and notice. Upon adoption, a local law must be filed with the appropriate local clerk and with the Secretary of State. Local laws are designated for filing purposes by year and consecutive number of adoption (Albany County Local Law No. 1-85 being, for instance, the first local law adopted by Albany County in 1985). In addition to filing, the local law must be published or described in a legal notice in a designated local newspaper. A few local governments, like Albany County, also publish an annual journal containing local laws as adopted, as well as other legislative actions.

There is a delay of several years before local laws appear.

The Secretary of State has the statutory responsibility for publishing an annual collection of local laws adopted by State municipalities. From 1924 until 1973 this collection appeared as annual bound volumes indexed by subject, most recently under the title *Local Laws of the Cities, Counties, Towns, and Villages of the State of New York*. Unfortunately, since 1973 budgetary constraints have forced continuation of the series in microfilm only, and, even in this form, there is a delay of several years before local laws appear. Subject access to the microfilm collection was provided from 1974 through 1982 by the *Index of Local Laws of the Counties, Cities, Towns, and Villages by Municipality*. From 1983 on, there is no subject access on a statewide basis to local legislation. If a researcher knows a local law exists, and if it has not as yet appeared in the Secretary's microfilm collection, he or she may still obtain it from the appropriate local municipality or from the State Records Office of the Department of State.

LOCAL CODES

The statutory requirements for filing and publication set forth above provide little practical access to a local community's legislation as a working whole. This is particularly bothersome when one local law affects the application of another, or when several local laws, adopted over a period of time, operate as a coordi-

nated scheme to govern a particular subject. To meet the need for organized subject access to local legislation, several commercial publishers compile and publish codes of local laws for individual communities. The two publishers of local codes most active in New York State are General Code Publishers Corporation of Rochester, NY, and Municipal Code Corporation of Tallahassee, FL. Commercially published codes typically print all currently effective local laws in a logical, classified arrangement by subject, with a table of contents and an index, and in a loose-leaf format allowing easy supplementation. As part of their code service, the publishers will both compile a code and arrange to publish supplements to keep it current. For those communities having them, local codes thus provide effective and efficient access to local legislation.

About half of the 1,300 local governments in New York State now have commercially published codes. (For lists of these communities, see the publications by Gibson and Emery cited at the end of this article or consult the catalogs at the State Library.) Copies of such compilations must generally be purchased from the local municipality rather than directly from the publisher. The New York State Library, the Charles B. Sears Law Library of SUNY Buffalo and the library of the Association of the Bar of the City of New York have extensive collections of local codes. In addition, the Supreme Court libraries found in some counties generally contain the codes for their local areas.

OTHER RESEARCH AIDS

Locating additional documentation concerning local legislation and judicial opinions interpreting it is often largely a matter of having contacts in local government and knowledge of local issues. There are, however, publications that provide some access to such materials. The *Index to Current Urban Documents* (1972-), with its *Urban Documents Microfiche Collection*, provides subject access to and the text of a wide array of local governmental materials other than laws. *Shepard's Ordinance Law Annotations* and *Shepard's New York Statute Citations* collect citations to court opinions interpreting local legislation. In addition, treatises on local government law often provide citations to court opinions on particular issues. Two of the most substantial of these publications are A. Antieau's *Local Government Law*, published by Matthew Bender, and E. McQuillen's *Law of Municipal Corporations*, 3d ed. published by Callaghan.

A NOTE ON NEW YORK CITY

As befits the nation's largest city, New York City

has its own system of local legislative publication. The basic structure of the City's government is established by a Charter (adopted by City voters) and an Administrative Code (enacted in its current form as a special law by the State Legislature in 1985). *The New York City Charter and Administrative Code* is commercially published in two competing editions by Williams Press and by Lenz & Reicker, Inc. In addition, Commerce Clearing House has published an edition of the *Administrative Code*.

Proposed and adopted local laws and other legislative actions are published in the daily *City Record*. A monthly, noncumulative index provides subject access to the *Record*. Local laws are also kept on file in the City's Municipal Reference and Research Center. Administrative rules and regulations adopted by City agencies are published when proposed in the *City Record* and are kept on file by subject in the Municipal Reference and Research Center.

CONCLUSION

Access to local legislation in New York State is still unsatisfactory. It can be improved in two ways. Local governments must be encouraged to expend the time and money required to have their local laws codified and published by commercial publishers. For communities unable or unwilling to achieve codification by commercial contract, the Department of State must be urged to complete (and obtain the appropriations necessary to achieve) on a current basis the microform publication and subject indexing of local laws filed with the Department. This action would enable us to have consistent access instead of what is now, for many communities, too often a question of local, inside knowledge, or of blind groping and happenstance.

FOR FURTHER READING

- Department of State, *Local Government Handbook*, 4th ed., Albany, 1982. A good discussion of the structure of New York State local government.
- Emery, Robert A., "Where to Find Local Laws in New York State: a Note," *Government Publications Review*, v15, 1988. pp. 49-60. Includes a list of codes.
- Gibson, Ellen M., *New York Legal Research Guide*, Buffalo, Hein, 1988, Chapter 11 and Appendix E. An excellent discussion of State local government structure and legislation, with an extensive list of local codes.
- Shannon, Michael O., "Local Legislation and Municipal Law: the New York City Experience," *Government Publications Review*, v5, 1978. pp. 431-444. A good, if somewhat dated, discussion of New York City local law sources.

LOCAL LAWS AND THEIR PUBLICATION

By A. Ross Kitt II, Board Chairman,
General Code Publishers Corp., Rochester, NY

During the early years of our State, the adoption of legislation by local municipalities was accomplished by the "ordinance" procedure, prescribed by the State.¹ This procedure involved verbatim publication of the proposed ordinance in the local "official" newspaper prior to a public hearing, so that the citizens might know the intent of their local legislature.

The public hearing often resulted in changes in the proposed ordinance, and this required publishing the changed version, with the time and date for its proposed adoption. Following adoption, publication was again required to notify the public that the new ordinance would be a part of local law upon its effective date.

To establish this new ordinance as a part of its body of law, the municipality was mandated to maintain an "ordinance book." Together with the minutes of the meeting at which the ordinance was adopted, the ordinance book became the official public record establishing the validity of the legislation.² This procedure emphasized the importance placed on "publication," but upkeep of the local ordinance books was often considered an onerous task and, all too often, was not carried out.

About 70 years ago, the State permitted the adoption of local legislation by the "local law" procedure. As part of this procedure, the State required the filing of multiple copies with the Secretary of State and provided that "Local laws shall be published annually by the secretary of state in a separate volume as a supplement to the session laws."³ Thus the ordinances created by local municipalities were now, as local laws published by the Secretary of State, becoming creatures of the State.

In addition, in 1972 the Village Law was amended to delete that part which had empowered villages to adopt ordinances. This left villages with the power to enact formal legislation by the local law method only, a practice that continues today.⁴ The Town Law, Section 130, was not so amended, and towns still have the power to adopt ordinances.

This change to local law procedure was welcomed by municipalities because it relieved them of quite heavy costs for publication in local newspapers. (Many zoning and building laws are very long.) The publication requirement still existed, but now the municipality was required to publish only the "gist" or the intent of the legislation, not the entire wording.

THE STATE'S PUBLICATION OF LOCAL LAWS

The Secretary of State began publishing local laws in 1925 (those adopted by cities in 1924), and annual publication of local laws continued until 1973. The compilations were published under various titles and their changes indicate their growing inclusiveness:

Title

- 1941-1942 *Local Laws of the Cities and Villages in the State of New York*
- 1943-1963 *Local Laws of the Cities, Counties and Villages in the State of New York*
- 1964-1973 *Local Laws of the Cities, Counties, Towns and Villages in the State of New York*

These annual bound volumes, which contained the complete text of the local laws, were discontinued in 1973. They were replaced by *The Index of the Local Laws in the Counties, Cities, Towns and Villages in the State of New York*, which contained only brief descriptions of the local laws rather than the complete text. The *Index* began in 1974 and was discontinued in 1982. From 1983 to the present nothing has been published that is complete enough to satisfy research needs, provide for adequate archival preservation, or comply with the State statute concerning availability of this information.

EMERGENCE OF CODIFICATION COMPANIES

The confusion in the publication and management of local laws had a positive development: the emergence and growth of private codification companies. Codification began when a town board member in the Rochester area recognized the need for it and published sufficient copies of his town's code for each public official to have one. When neighboring municipalities saw these codes, they recognized their own need and contracted for codifications. A new local business, General Code Publishers Corp., was established. Now international in scope, in New York State alone it has codified and is maintaining 560 codes. Private codification companies multiplied, and now several others are active in New York State.

A GROWING PROBLEM

The number of municipalities entitled to enact local

laws has increased and local governments deal with more complex problems. As they legislate more frequently, the State's problem of managing the proliferation of local laws grows. Although it met its legislative mandate in earlier times, the State has not done so in the last decade because of the increased volume of the local laws and inadequate funding.

A SOLUTION

While municipal legislation has become unmanageable for the State, codification companies have brought to the municipalities the benefits of professionalism. Using technology and their expertise, the companies provide organization, professional assistance, publication of multiple copies (not just filing in minutes and ordinance books), and maintenance of laws on a current basis, providing local legislators and administrators with the tools necessary for better government.

But not all municipalities have subscribed to a codification service. Several hundred more have a need for orderly publication, maintenance, availability, care, and service to the public.

Existing local law information service products are available collectively through our New York State

Library, our law and public libraries, our archivists, and our codifiers. Significant progress toward complete local law information service can be accomplished today through systems currently available and in use. Universal use of codifying companies for the publication of local laws could result in a program that is worthy of the great State of New York, one in which the municipalities and codification companies see that local laws are published in print or computer format and the Secretary of State and the State Library cooperate to index them and make them available. This approach would build on the State Library's commitment to making government information available to the public and would fill this tremendous gap in our legislative process, making local laws readily available for research and use.

REFERENCES

- ¹ *McKinney's Consolidated Laws of New York Annotated*, General City Law Section 19, County Law Section 101, Town Law Section 130, and Village Law Section 20-2000.
- ² *Op. cit.*, Town Law Section 30.
- ³ *Op. cit.*, Municipal Home Rule Law Section 27.
- ⁴ *Op. cit.*, Village Law Section 20-2000.

EDUCATION FOR LAW LIBRARIANS

*By Penny A. Hazelton, Law Librarian, Marian Gould Gallagher Law Library,
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Those aspiring to the profession of law librarianship in this decade have innumerable opportunities for formal and informal education. With a wide range of continuing education programs sponsored by local, regional and national law library associations and specialized courses in law librarianship offered at many library schools, what path should a would-be law librarian take? Is informal continuing education enough, or are one or more advanced degrees required?

This essay will attempt to answer these questions by briefly tracing the history of law librarianship, focusing on educational background and opportunities; by looking at the present skills and educational background of law librarians; and by reviewing trends that have affected and will continue to affect the education of law librarians.

HISTORY OF LAW LIBRARY EDUCATION

Informal education for law librarians has long been important to the American Association of Law Libraries (AALL), beginning with its founding in 1906. Educational programs at the Association's annual meeting and publication of a professional journal (*Law Library Journal*, beginning in 1908) have shown from the start a commitment to improving the knowledge and skills of practicing law librarians. Now AALL sponsors three-day intensive institutes, five to seven day-long workshops and over 56 annual meeting programs every year. In addition, the 29 local and regional AALL chapters also sponsor hundreds of programs each year aimed at keeping law librarians current in subject matter and up-to-date in issues facing the law and library professions.

Formal educational opportunities for law librarians have grown steadily, but the statistical information about the educational background of practicing librarians has a somewhat more complicated and less well documented history. The history of formal law library education is chronicled in Professor Morris Cohen's 1962 article, "Background to Law Library Education."¹ In it, Professor Cohen notes that:

...the earliest formal course in the law librarianship...consisted of lectures given by Frederick D. Colson at the New York State Library School in Albany between 1910-11 and 1916.²

These lectures became the first full academic course in law librarianship in 1913. Other formal educational offerings did not appear until 1937 (Columbia, Miles O. Price) and 1939 (University of Washington, Arthur S. Beardsley). By the 1950s, three other library schools had added law librarianship courses: U.S. Department of Agriculture Graduate School, University of North Carolina School of Library Science and Western Reserve University School of Library Science.³

At the time of Professor Cohen's article, only six library schools nationwide included any formal educational programs or courses in law librarianship or legal bibliography in their curricula.⁴ Today, over 32 (62 percent) of the 52 ALA-accredited library schools offer at least one course in law librarianship.⁵ Moreover, there are eight law schools and library schools offering joint degrees (JD and MLS)⁶ and 13 library schools that offer a specialization or concentration in law librarianship.⁷

A look at the history of the formal educational programs alone suggests that the graduate degree in library science has played an increasingly important role in law librarianship. This is, in fact, the case and is probably little different from the historical trends found generally in all types of libraries. Early librarians often had little or no formal education in librarianship, while the majority of professional library positions today require, at a minimum, a master's degree in library science.

EDUCATIONAL BACKGROUND OF LAW LIBRARIANS

The educational background of law librarians has a similar history. A comparison of the earliest figures that could be located⁸ with 1962 figures,⁹ for academic law librarians shows marked changes in educational backgrounds:

	1936	1962
Law and library degrees	7%	29%
Library degree only	23%	26%
Law degree only	19%	42%
No college or advanced degree	51%	3%

The significant changes over this 26-year period

were 1) a steep decline in the number of law librarians with no college or advanced degrees and 2) a sharp increase in the percentage of law librarians with a library degree (from 30 percent to 55 percent) and in the percentage of law librarians with both law and library science degrees. Overall, law librarians had significantly more formal education in 1962 than in 1936.

These trends have continued, and, even though good statistical surveys are not available, it is fair to say that most academic law librarians today have both law and library science degrees. By far, the most dramatic change over the years is in the requirement of a library science degree.

Although these statistics primarily describe the academic law library world, they are fairly representative of other types of law libraries as well, including county, court, state and firm law libraries. To the extent there are differences, the lack of formal education or degrees of any kind, particularly the law degree, was probably more prevalent in nonacademic law libraries. However, today the law librarian in the nonacademic sector is most often required to have at least a degree in library science and thus the trend has been as dramatic as in the academic sector.

The early volumes of the *Law Library Journal* carry much debate over the question of the educational preparation needed for law librarians, specifically as to the role of the law degree. In 1926 Professor Frederick Hicks expressed his view, which is clearly controlling today:

It has always been my contention that the only important difference between law library work and other kinds of library work is that resulting from a different subject matter and a different clientele. The underlying principles of library economy and technique are the same in all libraries. The differences, so far as they exist, manifest themselves in the application of library technique to a special class of literature, and in looking out for the convenience and habits of thought of specialized groups of readers....

Training in the general principles of all these phases of library work is given in library schools, and should be the basis on which to build such knowledge as is peculiarly useful in the respective special libraries or departments.¹⁰

A law degree may acquaint its holder with the body of legal literature, but it does little to prepare one to manage or work in a law library.

The American Association of Law Libraries recognized this preeminence of the library degree when its Educational Policy Committee drafted and had approved its "Guidelines for Graduate Programs in Law Librarianship."¹¹ The document is divided into

general library science competencies and subject (law) competencies. The guidelines recognize the roles played by four general competencies: the provision of reference and research services, library management, collection management, and organization and classification. The subject competencies are described as the legal system, the legal profession and its terminology, the literature of the law, and law and ethics.

A review of job descriptions for vacant law library positions will quickly alert the reader to the fact that the graduate degree in library science is a must. The competency in the law can be fulfilled in any number of ways — a law degree, some legal training, law library experience, or continuing education.¹²

THE FUTURE

What do we see for the future? What current trends will affect the educational needs of law librarians and employers of law librarians in the next 20 years? Three trends are related to libraries in general and three can be attributed to the subject matter of our librarian — the law.

The information explosion and the development of new technology have both had dramatic impacts on libraries, librarians and librarianship. Speculation as to which development has shaped the other is probably futile. It is sufficient to note that the sheer amount of information available on any topic or subject is generally unmanageable. Librarians must be trained in the management of that information and ways to make it accessible to those who need it.

Undoubtedly, the development of vast new technologies that make library systems more efficient and effective requires librarians who understand automation and computer systems as well as libraries. We will never see an end to the continuing need to update our knowledge to keep pace with rapidly advancing changes in technology.

The vast amounts of data that can now be stored and retrieved have forever changed librarianship. No more can librarians learn about just one format of information — books — and then stop their inquiry. Competent librarians must understand the variety of formats of information sources and must master their use and interrelationships, whether applied to reference, cataloging, or collection development work.

Law libraries, fueled by both technological developments and the vast amounts of information available, have become more complex organizations. Even the small library must provide a high level of service, which requires personnel management, communication, budgets and accounting, serials, cataloging, teaching, cooperative networks, automation, selection and other skills. Educational preparation designed to meet these demands is essential. A good librarian

today cannot simply be a person who loves books or likes to read.

TRENDS AFFECTING EDUCATION FOR LAW LIBRARIANSHIP

Specific to law librarianship, because these changes relate to the law itself, are three trends that will directly affect the education of law librarians. These are: the increasing complexity of the law, its growing interdisciplinary nature, and the changes in the practice of law.

As administrative law and legislative enactments come to form a more significant body of our law (as compared with the common law), relationships among these three sources of law must be understood by librarians. Quality legal research can be accomplished quickly and efficiently only if the researcher understands the complex interplay of our sources of law. The number of times a court decision controls the rule in a particular situation is likely to decrease, and our methods of researching legal problems must reflect such changes in the sources of our law. Knowledge of legal bibliography alone is not enough. Law librarians must understand the sources of the law as well as the strategies needed to find answers to legal problems.

In addition, the more complex the body of law, the more highly specialized its jargon becomes. The more specialized the language of the law, the more sophisticated the researcher must be. Instead of being excluded from the circle because of a lack of expertise, the law librarian becomes an important link in the chain of access to information. But it will be necessary for law librarians to become subject specialists and to learn the new, ever-specialized jargon.

Another change taking place in the law is the increasing relevance of nonlegal information. Most law firm librarians spend an increasing amount of time identifying, locating and retrieving statistics, information about companies, economic news data, as well as medical, biographical and other kinds of non-legal information. Most lawyers lack training in non-legal research, so librarians must provide assistance. Law librarians must have broad knowledge of all general reference sources, including online databases and CD-ROM products. Thorough familiarity with legal materials alone is not enough, even in an academic or court law library environment.

Finally, the practice of law itself is undergoing significant change. Mergers leading to megafirms and more attention to the bottom line have made many think of the practice of law as more of a business. Professionally trained legal administrators and others in the law firm support network are handling many of the more complex management functions. Firms are more highly specialized — working with a body of law

that is much more specialized — but because of their size, many firms can offer nearly all kinds of legal services to their clients. The need to have access to their own work product, to quickly obtain information not available in the firm itself and to professionalize and streamline firm operations has significantly influenced the roles played by law firm librarians. And by the trickle-down effect, these changes will affect law librarianship in other sectors as well.

The law librarian of the future needs a graduate degree in library science (MLS) excellent grounding in the law and legal profession through a law degree (JD), substantial experience in a law library or some law courses, a continuing interest in learning (about the law, technology, librarianship and the world in general), and a commitment to excellence and professionalism.

Although this article has been directed primarily to formal education for law librarianship, I would like to share with you Marian Gould Gallagher's recipe combining qualities for the successful law librarian:

...industrious, alert, charming, attentive to detail, refined, imaginative, unafraid of briefing for a judge or getting filthy shifting books, dependable, receptive to taking and following orders, able to direct underlings to inspired heights, incorruptible, sincerely interested, attractive...amusing, cheerful, imperturbable, diplomatic, and summa cum laude.¹³

REFERENCES

- 1 Cohen, Morris, "Background to Law Library Education," *Law Library Journal*, v55, n3, August 1962. pp. 190-199.
- 2 *Ibid.*, p. 194.
- 3 *Supra*, note 1. pp. 194-199.
- 4 See also, *Annotated Recruitment Checklist*, pp. 22-25. (AALL Recruitment Committee) (June 1965 Revision).
- 5 Library schools offering at least one course in legal bibliography or law librarianship are: University of Arizona; San Jose State University; University of California, Berkeley; University of California, Los Angeles; Catholic University of America; University of South Florida; Rosary College; Indiana University, Bloomington; University of Iowa; Emporia State University; University of Kentucky; Simmons College; University of Michigan; Wayne State University; University of Missouri, Columbia; Rutgers University; Pratt Institute; Queen's College; St. John's University; State University of New York at Albany; University of North Carolina; Kent State University; University of Oklahoma; Drexel University; University of Pittsburgh; University of

Rhode Island; University of South Carolina; University of North Texas; University of Texas, Austin; University of Washington; University of Wisconsin, Madison; University of Wisconsin, Milwaukee.

⁶ Schools offering joint law and library science degrees are: University of California, Berkeley; Southern Connecticut State University (with University of Connecticut School of Law); Catholic University of America; University of Iowa; Indiana University, Bloomington; Pratt Institute (with Brooklyn Law School); State University of New York at Buffalo; Syracuse University.

⁷ Schools offering a specialization or concentration in law librarianship are: University of California, Los Angeles; Catholic University of America; Rosary College; University of Michigan; University of Missouri, Columbia; Pratt Institute; St. John's University; Syracuse University; University of Oklahoma; University of Washington; University of Wisconsin, Madison; University of Wisconsin, Milwaukee.

⁸ Frantz, Laurent B., "The Education of the Law Librarian," *Law Library Journal*, v44, n2, May 1951. pp. 94, 97.

⁹ Bolden, Connie E., "Educational and Experience Backgrounds of College and University Law Librarians," *Law Library Journal*, v57, n1, February 1964. pp. 58, 62-64.

¹⁰ Hicks, Frederick C., "The Widening Scope of Law Librarianship," *Law Library Journal*, v19, n3, October 1926. pp. 61, 66.

¹¹ "Guidelines for Graduate Programs in Law Librarianship," *AALL Newsletter*, v20, n5, December 1988. pp. 147-8.

¹² In a recent survey of the 185 jobs advertised in the *AALL Newsletter* from June 1989 to May 1990, 80 percent required an MLS, 3 percent required an MLS or JD, and 10 percent permitted law library experience to substitute for an MLS or JD.

¹³ Gallagher, Marian G., "The Law Librarianship Course at the University of Washington," *Journal of Legal Education*, v5, n4, 1953. pp. 537, 539.

STANDARDS FOR LAW LIBRARIES AND LAW LIBRARY SERVICE

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This article presents a brief historical overview of the development of standards for law libraries, describes current standards as they relate to various types of law libraries, and offers some conclusions and possible implications for the future.

A review of the relevant literature of the past century brought to light only one attempt to define law library standards. Speaking at the 50th annual meeting of the American Association of Law Libraries (AALL) in 1957, Vernon Smith defined standards "in the context of this discussion [as] a certain prescribed minimum or basic qualitative and quantitative level of library content, expansion, staff, service, and facilities which conform to varying professional, educational, or research needs."¹

In this article, the word "standards" also refers to a formal document or documents promulgated by a professional organization or organizations for either mandatory or voluntary compliance. While not in themselves standards, checklists can be incorporated as a component of a more inclusive document related to law library standards. Laws and regulations promulgated by government agencies are likewise not considered standards in the context of this discussion, but some of their provisions can be and often are incorporated into standards for law libraries.

Virtually all law library standards relate to more than just one type of law library. At a panel presentation entitled "Library Standards and Discussion of Standards for Various Types of Libraries," convened at the Annual Meeting of the AALL in 1971, Edwin Schroeder divided libraries into three types: academic law libraries, private law libraries and public law libraries. These categories will be used in this article with subdivisions where appropriate.²

HISTORICAL OVERVIEW

Writing about law libraries in 1876, Stephen Griswold, the Librarian of what was then the Law Department of the New York State Library, stated that "it is not probably well known outside the legal profession, that the entire body of municipal law which governs

and regulates society is contained in printed books. To these books, the bench and the bar must constantly refer in the discharge of their respective duties; a fact which goes far to corroborate the statement of Voltaire, that 'books rule the whole civilized world.'" Griswold went on to say "the multiplication of law books has been so rapid of late years, that few lawyers indeed can procure by their own private resources all that they need for their investigations....hence public law libraries have become indispensable in the administration of justice."³

While Griswold's general observations about growth of law collections will seem all too familiar to law librarians in the 1990s, he had little to say about the administration and internal operations of law libraries and did not mention standards for law libraries at all. It was not until nearly 25 years after Griswold's statement that the Association of American Law Schools (AALS), an association of law schools dedicated to improving the legal profession through legal education, promulgated the first statement embodying minimum requirements for law school libraries.⁴

In the Articles of Association, representing lawyers throughout the United States, prepared at the time of its formation in 1900, the AALS stated that member schools must "own, or have convenient access to, during library hours, a library containing the reports of the state in which the school is located and of the United States Supreme Court."⁵ In 1912, the AALS Standards were revised to require law schools to "own a library of not less than 5,000 volumes."⁶ No mention was made, however, of the types of volumes to be included.

The American Bar Association (ABA) is the second professional organization to establish standards for law school libraries, its first standards having been introduced in 1921. The ABA law school standards relating to law libraries specified only that approved law schools should "provide an adequate library for the use of students."⁷ In 1924, the AALS amended its earlier standards to require that in addition to the ownership of at least 5,000 volumes, the library should be well-selected and properly housed and administered for the use of its students. Interestingly, this change was brought on, at least in part, by the discovery that one law school had purchased at great expense additional supplements to law books, bound

*The author wishes to thank Shaw Kinsley, who served as my research assistant on this project, Eveline Goodman for her editorial assistance, and Sylvia Birnbaum for entering it all on the computer.

them and included them in their count as additional volumes to meet the 5,000 volume requirement.⁸ The bound supplements were discovered during an inspection to determine if the school should be accredited by AALS. Then, as now, ABA and AALS Standards were enforceable through sanctions.

At the opening session of its Thirty-fifth Annual Meeting in 1938, AALS amended its Articles of Association by adopting the requirement that each member school have a "qualified librarian whose principal activities are devoted to the development and maintenance of an effective service."⁹

From the 1940s through the 1960s, there were periodic revisions and much discussion regarding the Standards in both ABA and AALS. During this period, law school librarians played an active role in these revisions through their appointments to committees in both ABA and AALS and through the formation of the Joint Committee on Cooperation Between the AALS and the AALL.¹⁰

For the purposes of this article, 1970 can be considered the beginning of the recent period of activity in the development of law library standards. By that time, patterns for developing, revising and enforcing both ABA and AALS standards for law schools were well established. Revisions to ABA standards for legal education published that year included library sections addressing areas such as quantity, scope and quality of content; adequacy of physical facilities; cataloging system; administration of the library; other library facilities of the college or university; and a checklist of basic titles or types of publications. A section on microfilm and a statement that the law library should be administered by the law school were also included.

From the perspective of law librarians, one of the most important events in the development of law library standards occurred in 1971. A panel on "Library Standards for Various Types of Libraries" was convened at the 1971 Annual Meeting of AALL in Miami. This panel was important for two reasons. First, it was convened by the AALL, not the ABA or the AALS. Second, it provided a forum for serious discussion of standards for all types of law libraries. Virtually all subsequent work regarding non-law school library standards can be traced to this panel. Its proceedings were published in Volume 64 of the *Law Library Journal*, pages 474-485 (1971).

Other highlights regarding the recent development of law library standards include the creation of a Standards Committee of the AALL in 1970; the standards for supreme court, state, and county law libraries prepared by the State, Court and County Law Libraries (SCCLL) Special Interest Section in 1978¹¹; the 1983 tentative draft of the ABA Standards, which sought to de-emphasize the quantitative

provisions inherent in ABA Standards of that time; the revision of AALS Regulation 8.5 to expand the concept of a book budget to cover nonprint format materials; the adoption of standards for prison libraries by the American Correctional Association; the revision of the ABA Standards in 1986 to reflect the uses of "electronic and other technology" in legal research in libraries; and the development of appellate court standards and the revision of standards for county law libraries of the SCCLL Special Interest Section of AALL in 1989. The Standards of the SCCLL were revised in part to reflect the emergence of computer technology in their three types of law libraries.¹²

LAW LIBRARY STANDARDS TODAY

Law school, State, Court and County law libraries all have standards formally approved and recognized by one or more professional organizations. Law firm libraries and corporate law libraries are not bound by any formal standards at present. This section will look at existing standards by type of library and, where appropriate, will discuss the governance of professional legal organizations as it relates to the administering of law library standards.

Law Schools — Law school libraries are governed by standards promulgated by the ABA and the AALS. For the sake of clarity, each organization will be discussed separately.

A. American Bar Association. All ABA standards including those for law school libraries, emanate from the Council of the Section of Legal Education and Admissions to the Bar (hereafter called the Council). When the Council receives such a proposal, it is usually referred to the Standards Review Committee of the Section of Legal Education. After it reviews the proposed standard, the Committee reports back to the Council with recommendations as to whether the Council should recommend to the ABA House of Delegates that the proposed standard be adopted or rejected.

Before formally recommending adoption, the Council will normally charge the Standards Review Committee with the responsibility of holding public hearings and soliciting public comments. Hearings are held in forums where many people appear. For example, the hearings related to a proposed law school library standard might be held at an ABA Annual Meeting or Mid-year Meeting as well as at the Annual Meeting of the AALL.

At the conclusion of the public hearings and comment period, the Standards Review Committee makes its recommendations to the ABA

Council. The Council hears this report and in turn makes its recommendation to the ABA House of Delegates, which makes the final determination as to whether the proposed standard will be adopted and incorporated into the ABA standards for approval of law schools. The President and the Executive Director of AALL are both invited to attend meetings of the Council.

Throughout this process, the Libraries Committee of the ABA, which includes prominent law school librarians among its members, provides consultation and commentary to the Council of the Section on Legal Education of the ABA.¹³

Frequently there is much debate, and many tentative drafts may be distributed before a proposal is adopted as a standard. Once adopted, a standard may be subject to multiple interpretations. Where needed, formal interpretations are included with compilations of the ABA standards. The standards and interpretations are numbered. For the most part, those standards that relate specifically to libraries are contained in standards 601-605 of the *ABA Standards for Approval of Law Schools and Interpretations*¹⁴; however, a core collection library schedule is located in Annex II of this publication. Standards in sections 601-605 cover areas such as adequacy of the library to support the law school's programs, inclusion of the core collection listed in Annex II, access to commonly used materials by faculty and students, conversion of material of long-term value to nonprint format, adequacy of audiovisual equipment, administrative autonomy, adequacy of budget, access to additional materials necessary to conduct the school's educational and research programs, appointment and qualifications of the law librarian and a requirement that all agreements regarding resource sharing shall be in writing.

ABA Standards, other than those in the 600 series that make reference to law school libraries, include Standard 704, requiring a law library sufficient in size, location and design to accommodate the needs of the law school, and Standard 705, which states that "there shall be adequate secretarial, and administrative, and library personnel...." ABA standards also take note of the development of computer technology and specify that computer-assisted legal research be included in the core collection library schedule in Annex II.

- B. Association of American Law Schools. The AALS is governed by its Executive Committee and administered through the Office of the Executive Director. In addition, there are Standing, Special and Planning Committees, as well as liaison

committees that cooperate with other organizations. At present, there is one law librarian on the Executive Committee, and there are several law librarians on the Committee on Libraries. There are also sections composed of members of the faculty and administration of member law schools.¹⁶ In May 1990 the Executive Committee approved a provisional section for law librarians. To be eligible to apply for AALS membership, a school must have offered five years of instruction and have graduated its third class. It must also be in compliance with AALS bylaws and regulations (published in the *Association Handbook*), including the standards for law school libraries. Most provisions related to libraries are in Section 6-10 of the AALS Bylaws and in Chapter 8 of the Executive Regulations. Items covered by Section 6-10 are primarily general requirements, including:

- adequacy of research and curriculum support
- adequacy of collection
- a full-time librarian who should be a fully participating member of the faculty
- adequate library staff
- adequate organization and administration to perform its educational function, and
- maintenance of a suitable library with volumes readily accessible to both students and faculty.

Matters included under Chapter 8 of AALS's Executive Regulations are much more specific, referring to specific publications required to meet the "very lowest level of adequacy"; physical plant-library space requirements, including a formula for library seating space; and a requirement that an up-to-date catalog of library resources be maintained. There are also sections devoted to the librarian and staff, record keeping, legal information expenditures, and planning. These standards permit the use of LEXIS, WESTLAW or other full-text retrieval systems to meet the requirements of adequate provision of material. These library standards are enforceable as part of AALS Bylaws and Executive Regulations, and member schools failing to comply may risk sanctions under the provisions of Section 7-1 of the AALS Bylaws.

In their joint work *Model Self Study: Preparing the Law Library for Accreditation*, Dan Henke and Betty Taylor point out that implementation and enforcement of ABA and AALS accreditation standards have brought about great improvements in the quality of Academic law libraries.¹⁷ To varying degrees, both organizations have addressed such library-related mat-

ters as physical facilities, collections of library materials and applications of computer technology to information retrieval. However, neither organization has addressed matters related to interlibrary cooperation or preservation of library materials to any significant degree.

Public Law Libraries — Edwin Schroeder, moderator of the AALL 1971 panel on Library Standards, defined public law libraries as those "whose principal function is to serve a relatively open clientele."¹⁸ Insofar as this author has been able to determine, the major efforts to prepare formal standards for this category of libraries have been primarily those of the SCCLL Special Interest Group of the AALL. That group's standards for Appellate Court Libraries and for County Law Libraries have been officially approved by the membership of SCCLL and the Executive Board of the AALL, making them official standards of AALL. A separate committee working on standards for state law libraries decided to combine its efforts with those of the Appellate Court Standards Committee, and made the Appellate Court Library Standards also the standards for State law libraries. Unlike the standards for law schools, SCCLL standards are voluntary. Many organizations and individuals throughout the United States were consulted when these standards were being drafted, and, after their adoption, final copies were sent to justices and court administrators throughout the United States.

The SCCLL standards cover matters such as governance, budget, personnel, physical plant and facilities, information services, technical services and core collections. These standards are more explicit than the law school standards regarding the need for humidity control and proper storage facilities for the preservation of materials and the need for computer terminals for library operations. Regarding relations with other libraries, the SCCLL standards stipulate that "the professional staff should be encouraged to participate in professional organizations and that "the library should augment its resources through interlibrary loans and other cooperative services as needed." There are plans to augment these standards through comments and interpretation.¹⁹

Private Law Libraries — Continuing with Professor Schroeder's categories, "a private law library is one whose principal function is to serve a relatively closed clientele."²⁰ As far as can be determined, there are no standards for private law libraries that conform to the criteria specified in the introduction to this article. Many private law librarians, (including those working for law firms and legal departments of corporations) consider standards of the type we have been discussing to be impractical, each firm or corpo-

ration (being so different) having its own type of practice and clientele. These differences have prompted many such libraries to rely on checklists and surveys for the guidance and support that other types of libraries derive, at least in part, from law library standards.

The Private Law Libraries Special Interest Group of the AALL has distributed a series of surveys relating to libraries. Many law firm librarians consider the resulting data to be comparable to standards because they provide a good consensus regarding compensation, operations and collection development in law firm libraries.²¹

CONCLUSIONS

In looking back at the past 90 years, one sees the development of standards for law libraries and law library services as a slow, arduous, often painful, fragmented and far from complete process. There is no question that ABA and AALS standards have improved law school library facilities and collection development. It is less certain that these standards have contributed to improvements in other areas such as interlibrary cooperation, and the preservation of materials. Throughout this period, the role of the AALL in the development of law school libraries has been essentially subsidiary. Since AALL is the preeminent professional organization for law librarians in the United States, perhaps it should take a more active role in the development of qualitative standards and of standards for such areas as interlibrary cooperation, conservation of library materials and service to patrons.

There is much to be done in the development of standards for other types of law libraries. In many ways, the law school model has been quite successful. The SCCLL model for developing standards is also promising, but a mechanism for providing periodic commentary and review is needed. Private law libraries need to renew their efforts to explore the possibilities of developing and implementing standards. Because of the great diversity of the organizations they serve, perhaps they should emphasize standards related to service to readers and interlibrary loan cooperation, and use surveys and other data-gathering techniques to acquire information needed in such matters as collection development and salaries.

Regardless of the model used to develop standards, it is important that cooperation be obtained from those organizations charged with oversight responsibilities for the libraries involved if the resultant standards are to be implemented successfully.

Despite the struggles and frustrations, law library standards are increasingly taking quality of services

into account. This encouraging trend will probably continue, given library patrons' ever-increasing expectations (created by advances in high technology and telecommunications) for more accurate and complete information in shorter periods of time. These pressures may force those developing standards for all types of law libraries to place greater emphasis on quality of service to patrons and less on the quantity of books and other materials.

If Stephen Griswold and Voltaire were living today, they would have to acknowledge that the body of law that governs and regulates society is contained in many formats, including books, to which the bench and the bar must constantly refer. Perhaps a modern-day Voltaire would say "information rules the whole civilized world, with the help of law librarians and law libraries that are up to standard."

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THE HIGH-TECH LAW LIBRARY — SERVING IN THE "L.A. LAW" ENVIRONMENT

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"High technology" has affected all aspects of our society to the extent that it seems social status can be defined by the ownership of CDs, video laser disks, telefacsimile equipment and computers. If one doesn't possess one of these modern marvels at home, there is a feeling of social inadequacy. Just as our personal lives are affected by these technologies, so are our professional lives. We have all witnessed the proliferation of "high-tech" products. Not a day goes by without the arrival of some advertisement by a publisher or vendor informing the library community of a new product line. This article presents my views on how new technologies have impacted and will continue to impact law libraries. Because I am a law firm librarian, my perspectives come from my little corner in the universe, but may be extrapolated to other types of law libraries.

THE LAW FIRM LIBRARY

Every Thursday evening, the American television public flips to "L.A. Law." This program has afforded millions of Americans the opportunity to become involved with the American legal system. What the viewers do not see is the law firm library, which often looks like a war zone: books sprawled all over creation, crowded shelves, computer terminals spitting out LEXIS and WESTLAW results and the librarian attempting to maintain order in this environment.

Law firm libraries have problems similar to those of other types of law libraries, such as the proliferation of materials and inadequate shelf space. They must contend with the increasing rate of materials in law, primarily due to the litigious nature of our society. Not only do law firm libraries contend with legal materials; they must also provide nonlegal sources for their users. Unlike some academic law libraries, they differ from other types of law libraries in that they must be able to provide information (legal and nonlegal) to users and their clients at a moment's notice.

How then have new technologies affected the law firm library? New technologies usually mean CD-ROM databases, video laser disks, telefacsimile equipment and computers. These products, and those that are still a gleam in the inventor's eyes, affect and will continue to change the way law firm libraries disseminate and store information.

SPACE CONSIDERATIONS

Most law firm libraries face shelf space problems. Not a month goes by when you're not asking yourself questions like "how will I find space for these 40 new volumes that Parker Smith has ordered?" The earliest solution to the shelf space problem was microformat. While it was not seen as the ultimate panacea, it did permit law firm libraries to store needed information in a condensed format. To put the storage problem in perspective, there are currently 555 volumes of the *New York Supplement 2d*, and approximately 13 additional volumes are issued each year. The West Publishing company issues one microformat version of the *New York Supplement 2d*, every 150 volumes. (It also publishes the paper version.) Microformat publications are not limited to reporters; they include all types of Federal and state government publications, newspapers and law reviews, to name just a few. Converting paper to microformat can make quite an impact on the library's storage problem unless it meets with user resistance. Attorneys like to use books and, at times, resist the use of microformat. I used to think it was the older attorneys rather than the younger attorneys who opposed microformat. However, it appears that age is not a factor.

Along with the use of microformat has come the growing reliance on computers to store and provide access to information without giving up shelf space. Mead Data Central (producers of LEXIS/NEXIS) and West Publishing Company (producers of WESTLAW) have given the law firm library the ability to search and retrieve cases, newspaper and magazine articles and business information sources in full text without having to have the publications in the library. While most law firm libraries do not look to these vendors to replace their libraries *in toto*, it is comforting to know that a law library could exist on a basic level by using LEXIS/NEXIS and WESTLAW.

With the exception of law reviews, the materials that have been mentioned are primary sources. What about secondary sources? Can they be accommodated easily to microformat or online databases? Possibly, but it would not be enjoyable to work with them. A review of the list of secondary sources available on LEXIS/NEXIS and WESTLAW produces many newsletters and a few loose-leaf services, but hardly any treatises.

Enter CD-ROM. Although it is a relatively new technology for legal publishers and the law library community, over the past few years the list of legal materials (treatises and indexes) offered on compact disk has grown significantly. The two major law book publishers, West Publishing Company and Matthew Bender, have made a significant number of treatises available on CD-ROM. Other publishers such as Shephards/McGraw Hill, Commerce Clearing House and the Bureau of National Affairs offer or have plans to make available their services on CD-ROM.

The impact that CD-ROM will have on the space problems of law firm libraries is hard to predict. This is in part because at this time, the vendors' products are not interchangeable; a West product cannot be used on Matthew Bender hardware, and, as a result, libraries are limited in what they can use. In addition, the costs of hardware and software are great. Although large law firms in major metropolitan cities have begun to acquire CD-ROM products, their impact has not been felt in firms outside these areas.

IMPACT ON INFORMATION DISSEMINATION

The first half of this article has only dealt with the new technologies as they affect space in law firm libraries. The next issue to be addressed is the impact of these new technologies on the dissemination of information.

From my perspective as a manager of a large law firm library in an upstate New York city, it seems that the new technologies have had a major positive impact on the provision of information, varying with the type of technology.

I cannot envision a paperless law firm library. All technologies must work in concert with each other. Microformat is a good replacement for hard copy, but I'll always have a significant hard copy collection.

The abundance of online databases has permitted law firm libraries to acquire needed information in a relatively short period of time. Our library has the ability to obtain the text of court decisions within hours of their issuance, get copies of SEC documents within minutes and prepare bibliographies (and often full text of articles cited) in a matter of minutes.

This abundance of electronic information is due in large part to the competition between vendors. LEXIS/NEXIS and WESTLAW have enlarged their databases with each other as well as their users in mind, and the users benefit. For many years DIALOG did not generate the full text of citations but, over the past five years, full text has become the norm for DIALOG rather than the exception.

Nonlegal databases play a large role in the dissemination of information in law firm libraries, and the firm librarian needs to have access to these sources

without having to go to a public or academic library. The NEXIS arm of Mead Data Central has made our lives more tolerable. One can now obtain the full text of newspaper and magazine articles, SEC documents and the like without having to use several databases. However, NEXIS is not all-encompassing so a typical law firm library must still use DIALOG, VUTEXT, Dow Jones, etc. to obtain information.

Abundance of electronic information is due in large part to competition.

In the past few years, legislative information has been easier to obtain because of the increased capabilities of the Legislative Retrieval System. Our library can now monitor pending New York State bills and supply the full text of these bills to our attorneys. Legislative issues from states other than New York can be monitored on StateNet. Federal legislation can be monitored by using LEGIS SLATE or LEXIS/NEXIS (to name just two vendors).

Law firm librarians have the ability to use and obtain these services because we can charge (and do charge) our clients for procuring the information. But this is not to say that if a client lacks the money, the information cannot be obtained. Traditional sources can be used, but information obtained that way may be stale by comparison.

Just as the proliferation of online services has changed the vision of a law firm library from that of a traditional library setting to one of an information center, the advent of reliable telefacsimile equipment has also redefined the content of a law firm library. "Faxing" has become an addiction. While publications available through faxing cannot replace the collection, this technology can significantly strengthen the library's ability to obtain information quickly.

Librarians have always networked, and the network has now been strengthened as a result of faxing. Within minutes a document can be received that may have major impact on the client. A good example of the use of a fax is seen when using the services of a document retrieval vendor. Often I must obtain a document that is not available online. I can contact a document retrieval service and have the document faxed to me within minutes. Although this can be costly, if the client has the money it's not an issue. Articles that are urgently needed can be obtained from libraries by fax. While this is no surprise to the library community, to an attorney this sometimes is an unknown resource and one that is always appreci-

ated. Telefacsimile transmission not only allows us to obtain information; it is also a means of communication from library to library.

CD-ROM, a relatively new technology, has not made its impact known at my library. In fact, law firm libraries are just starting to obtain CD-ROM products. Those that have acquired CD-ROM are usually based in large metropolitan areas, and, according to discussion with colleagues, only the very large law firm libraries have started using CD-ROM. This is due largely to the cost of the equipment and the materials that have been made available. As the technology is perfected and the cost diminishes, CD-ROM will take its place in all law firm libraries, but it is hard for me to believe that CD-ROM will replace a book. Rather, I think it will allow the user to locate relevant information more quickly. For widespread use of CD-ROM products at this time we must look to our colleagues in the academic and public libraries. Our area's academic law library has certain indexes available on CD-ROM, as do our graduate and public libraries.

"L.A. Law" exists in most law firms. Their libraries must be able to provide information quickly and store information efficiently. The use of microformat, online databases, telefacsimile and CD-ROM allows law firm libraries to do all these things.

We live in a society that affords us great technological changes on a daily basis. The future holds the promise of unimagined enhancements and the role of the law firm library will be greatly affected by these changes. Seize the day and the future!

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LEGAL INFORMATION SERVICE FOR THE *PRO SE* PATRON

By Mary Beth Dunn, Law Librarian,
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Litigation abounds in our society and more and more people are attempting to understand the law. Many of them turn to their public library, or another library, for information on laws, regulations and procedures. A law librarian is likely to identify a patron, who is not an attorney, as a *pro se* ("for himself" or "in person") patron. Whether *pro se* patrons approach the public library, a law library, an academic library or another library, it is important that librarians who receive their requests for legal information understand exactly what is in library collections and how to use these materials.

Librarians face the challenge of determining which legal questions can be answered for the *pro se* patron by using the collection and the staff on hand. They must be aware of appropriate acquisitions to enhance the collection for the layman and of ways of cooperating to enhance services. They must know the difference between legal information and legal advice. This article suggests ways for public libraries to improve their collections in the law and for librarians in both types of libraries to improve their services in this area.

SOME BASIC REFERENCE SOURCES

A basic collection of legal materials for the *pro se* patron should contain a law dictionary and some legal directories. The *Martindale-Hubbell Law Directory* is the best known directory of attorneys in the United States. In addition to the directory section, this set contains digests of the laws of all the states and territories as well as the laws of several foreign countries. One cannot rely on the digest in any annual directory to provide patrons with the current law, but these short descriptions are of some value if your library does not own the actual statutes. However, the librarian should always warn the patron that the information in these law digests is not current and may have been changed by new legislation. There are also several court directories that would be valuable in any legal reference collection.¹ It is not necessary to purchase new editions of these directories every year because the change in court staff and addresses is minimal from year to year. The public librarian should be able to review most of these items at the local law library. A legal reference collection might also contain directories and handbooks dealing with

the Federal government, such as *The Federal Regulatory Directory* and *The United States Government Manual*.

Another item to be considered is the *Guide to American Law* by West Publishing Company (St. Paul, MN). This set, which was originally published in 1984, is updated with annual yearbooks. It contains a series of articles on various legal topics from abortion to Zenger's trial. It was written for the nonlawyer and is an excellent reference work for the *pro se* patron.

STATE AND FEDERAL LAWS

As part of a law collection, a library may want to add the statutes or laws of its state. In some states this might prove too costly in both dollars and shelf space but there may be other options available. For New York both West Publishing Company and Lawyers Cooperative Publishing Company (Rochester) produce multivolume sets of the statutes.

A major problem occurs when purchasing these sets: the cost of the yearly upkeep must be considered. A library may be able to afford the initial cost of the set but the yearly cost must be added to the library's budget. Gould Publications (Binghamton) and the Michie Company (Charlottesville, VA) produce less expensive, paperback versions of the New York State laws. If a library does not need, or cannot afford, a complete set of the statutes, it may consider purchasing only certain sections, if this option is available. The library staff may get many questions regarding criminal matters, divorce and family matters, real property actions and civil procedure but may not use sections of the law dealing with commerce or navigation. In New York it is possible to buy some sections of the statutes in single volume binders (from Gould Publications).

The cost of Federal statutes can be quite prohibitive if obtained from a commercial publisher. However, if a library is a Federal depository, it receives the *United States Code* bound volumes. A selective depository library should consider adding this item to its list but, again the librarian must caution the patron about the lack of current information in these bound sets. Gould Publications will soon publish a paperback edition of the *United States Code* that is reasonably priced and will not require the shelf space of the commercially published annotated sets.

CASE REPORTS

Another category of primary material a library may consider adding is case reports. In New York, as in most states, the availability of shelf space would be a major factor in a decision to purchase reports of cases decided in the state courts. Even if the cost is not prohibitive, most state case reports require several sections of shelves to maintain the set or sets covering the decisions from the lower and appellate courts. The Federal court case reports require even more shelf space than state case reports. A library may want to get only the decisions of the United States Supreme Court. *United States Reports* is available from the Federal government to depository libraries and commercially. A major problem with this set is the lapse of time between the decision by the court and its publication in *United States Reports*. It can take from a year to 18 months to receive a copy of Supreme Court decisions with this subscription. Commercial publishers (West and Lawyers Cooperative) produce sets that are much more current.

REGULATIONS

A library might also consider adding the state regulations to its collection. Again, the cost and shelf space will vary from state to state. In New York, the regulations require almost a full section of shelves, and the yearly costs of upkeep might be prohibitive for many libraries. The amount of monthly filing required to keep the set current may be more than a library staff can handle. It is possible to purchase individual volumes, and this should be a consideration for a public library. The *Code of Federal Regulations* is available to depository libraries and from the Government Printing Office. The bound edition requires approximately 18 feet of shelf space. Microfiche editions are available from the GPO and from commercial publishers. The *Code of Federal Regulations* can be purchased in parts and this should be considered by public libraries. Generally, a library will consistently need only a few parts of the Federal regulations.

SECONDARY MATERIAL

The secondary material that should be considered for a basic law collection for the nonlawyer includes two sets of books. The nutshell series published by West Publishing Company contains paperback volumes on different legal topics. Each volume gives a basic outline written for the nonlawyer. A library can purchase separate volumes, and the price is generally below \$20 per volume. Some of the titles included in the set are: *Family Law in a Nutshell*, *Immigration*

Law and Procedure in a Nutshell, *Legal Research in a Nutshell* and *Debtor-Creditor Law in a Nutshell*. The other set of books to consider is the *Legal Almanac* series published by Oceana Publications (Dobbs Ferry, NY). These books are similar to the nutshell series — written to be easily understood by the nonlawyer. Separate volumes can be purchased, and the price of each almanac is generally less than \$15. Sample titles include: *The Law of Adoption*, *Sexual Conduct and the Law*, *Alcohol and Drug Abuse and the Law*, *How to Serve on a Jury*, *When and How to Choose an Attorney*, *How to be a Witness and Living Together: Unmarrieds and the Law*.

Another publisher producing materials specifically for the nonlawyer is Nolo Press (Berkeley, CA). Its books are considered "self-help" and cover both national and state subjects, for example, *How to Form Your Own New York Corporation*, *Bankruptcy: Do It Yourself*, *Nolo's Simple Will Book* and *Patent It Yourself*. These books generally cost under \$25. Nolo Press also produces software packages for the nonlawyer, available for Apple, IBM or Macintosh PCs and priced around \$50. The most popular software is *WillWriter*, which allows the user to produce his or her own will.

ADDITIONAL MATERIALS

I have mentioned only a few of the titles and publishers of legal materials for the nonlawyer. For additional titles a helpful accession tool for any library building a collection for nonlawyers is *Self-Help Law: A Sampler*.² This bibliographical guide describes materials designed to assist the nonlawyer in self-help. It also contains a selected list of names and addresses for publishers and advocacy groups in the legal self-help field.

COOPERATION WITH OTHER LIBRARIES

Before selecting large expensive sets for a legal reference collection, the public librarian should contact a nearby law library to determine its holdings and its policy regarding service to the public and interlibrary loan. Many law libraries have made a commitment to serving the legal research needs of the public, and their staffs are willing to assist public librarians through interlibrary loan, consultations and training.

SERVICES AVAILABLE FROM LISP

The American Association of Law Libraries' Legal Information Service to the Public Special Interest Section (LISP) was formed in 1981 to provide basic legal information service nationally.³ Its members are committed to improving communication between law libraries and public libraries to facilitate and broaden

public access to legal information. The section maintains a clearinghouse for acquisition and loan of materials from state and local law library chapters demonstrating various plans and methods for outreach to the public and to librarians from nonlegal fields. The national section and local chapters have sponsored programs and workshops at national, regional and state library conferences. Services available from the Legal Information Service to the Public Special Interest Section include:

Workshops: General or specific topic-oriented workshops can help nonlaw librarians understand the material in their collections and learn how to refer a patron to a law library.

Consulting: Advice can be given to a single library on acquisition needs or how to maintain a law collection.

Surveys: Assistance is available in identifying the legal materials in the public library collection to create awareness of the value and needs of the legal collection.

Communication: The Section's quarterly newsletter, *LISP News*, contains articles pertinent to the provision of legal information service to the public.

THE REFERENCE INTERVIEW

It is often difficult to get all the necessary information to make an informed decision about the patron's actual needs. The patron often does not give all the facts involved and, what appears to be a fairly simple request may actually involve many more complex issues. Even the most experienced legal reference interviewer must be aware of what the patron is not saying (The personal nature of legal problems may make the patron reluctant to relate all the facts). The damage that can be done by providing incorrect information to a *pro se* legal patron is immense. An example is the *pro se* patron who needs to know the statute of limitations period for bringing a suit over a car accident. The librarian may find what seems to be the exact answer for this situation in the state laws and the patron may leave thinking he has ample time to file his suit. However, the patron may have neglected to mention that his wife was killed in the accident and he is intending to sue over her death. In this case a different statute of limitations applies, and the patron could very well miss the date for filing because he doesn't have the information he needs.

REFERRALS

The reference interview with a do-it-yourself lay patron must be a continuous process and may eventually lead to a referral to a local law library or the suggestion that the patron seek the advice of an attorney. The local bar association should have lists of

attorneys. The *Martindale-Hubbell Law Directory* lists law firms by geographic area with notations on their areas of specialization. The librarian should also have available the addresses and phone numbers of the local legal aid societies.

GIVING INFORMATION, NOT ADVICE

Often the most difficult aspect of legal reference is determining the difference between providing legal information and giving legal advice. Some general rules can help the librarian draw the line. The first is not to tell a patron that something is legal or illegal. Because of the constantly changing law, no librarian should interpret the law for a lay person or give advice about what legal steps to take. These actions are properly reserved for a trained attorney. Generally a librarian should not select the form he/she thinks the patron needs. Because the librarian often does not have all the facts, it is more appropriate for the patron to select the appropriate form, depending on the course of action chosen. A librarian could be prosecuted for unauthorized practice of the law as well as sued by the patron for negligence.

The increasing demands placed on all libraries by the *pro se* patron seeking legal information call for a close scrutiny of the library's collection. They also make it necessary for librarians to be aware of the increased risk inherent in the reference interview. With careful questioning of the patron, knowledge of the library's resources and the ability to communicate and refer patrons to law libraries, the public librarian can provide excellent legal research opportunities to the nonlawyer.

REFERENCES

- 1 Some examples of useful directories are *The Federal Yellow Book*, *The State Yellow Book* and *The Congressional Yellow Book* from Monitor Publishing Company, Washington, DC; "Your Nation's Courts Series" from WANT Publishing Company, Washington, DC; and *BNA's Directory of State Courts Judges and Clerks* from Bureau of National Affairs, Inc., Washington, DC.
- 2 Miller, Michael S., *Self-Help Law: A Sampler*, Chicago, AALL-LISP, 1986. (Available from LISP Clearinghouse, Minnesota State Law Library, 117 University Avenue - 3rd Floor, St. Paul, MN 55155.)
- 3 For more information contact: Chair/Legal Information Service to the Public Special Interest Section, American Association of Law Libraries, 53 West Jackson Boulevard, Chicago, IL 60604; (312) 939-4764.

MODEL POLICIES FOR LEGAL INFORMATION SERVICE

By Bobbie Studwell, Associate Director, University of Colorado Law Library, Boulder, CO, and Ann Haley, Law Librarian, Central Rappahannock Regional Library, Fredericksburg, VA

When members of the general public seek legal information from staff in a law library they raise both actual questions and, implicitly, certain policy questions. What level of legal information service should be provided for the public? In what situations could staff be giving legal advice as opposed to legal information?

In response to requests from members of the American Association of Law Libraries (AALL), the AALL Legal Information Service to the Public (LISP) Special Interest Section drafted a set of model law library service policies. This happened at the same time that the American Library Association's Reference and Adult Services Division Standards and Guidelines Committee was drafting guidelines for provision of legal, medical and financial information by libraries, indicating the wide spread demand for such guidance.

LISP's intent was to provide guides for the levels of services that three types of law libraries could choose to offer to public patrons, given considerations of time, staffing, budget, etc. The LISP draft guidelines are in the form of model policies and are preceded by a general statement of what such policies should include. The policies are not intended to be comprehensive. Each library will need to view its current practices and make additions or deletions as required.

POLICY FUNCTION AND CONTENT

A written policy statement becomes a blueprint for consistent and balanced responses to questions posed at the law library reference desk. It forces the individual library to state its purpose, goals, and objectives. What follows in this section is considered the minimum needed in any legal information service policy statement.

Purpose of the library — Begin by stating the purpose of the library, including the levels of research the library is willing to support. Such a statement might indicate that (for county/court libraries) the library exists to provide adequate access to information resources or (for academic libraries) that Reference Service is available to support the research, teaching and general information needs of undergraduates, graduates and faculty of the university with limited support being offered to attorneys, associated or contributing groups and the public.

Summary of Policies — This statement should indi-

cate the priority structure of legal assistance to law library clientele. It operates as the foundation of the library's policy objectives. Here the law library declares its commitment to providing reference services to various user groups. This statement will affect staff attitudes, service patterns and budget allocations for the various groups indicated. The amount of service the law library is willing to commit to any user group should reflect the information seeking behaviors and needs of the group, its service expectations and the state's guidelines on unauthorized practice.

Implementation Guidelines — In this section, the law library lists activities which describe in detail the methods to be used in achieving the goals set out in the summary. Each guideline should be written to indicate who will be served, when, how, and at what level. Clarity is essential in writing this part of the policy statement.

The following draft model policies have been made available for this issue of *The Bookmark*. Copies of the full model policies are available from the LISP Clearinghouse located at the Minnesota State Law Library.*

I. MODEL POLICY FOR LEGAL INFORMATION SERVICE FOR COUNTY/COURT PUBLIC LAW LIBRARIES

PURPOSE OF THE LIBRARY — This policy defines the information service levels law librarians should offer to the various user groups at the _____ Law Library when answering reference questions. Its purpose is to provide guidelines for levels of service and access to materials to ensure that patrons from the legal community and from the general public receive optimum levels of service, without violating ethical guidelines on the unauthorized practice of law outlined by the ABA and by the state bar.

SUMMARY OF POLICIES — The _____ Law Library provides information service in support of the research needs of the courts, attorneys and the public.

*The wording of model policies in this article may vary from that in the document available from the Clearinghouse because changes have been made (with permission of the authors) to achieve consistency of style for this article.

IMPLEMENTATION GUIDELINES

Members of the Judiciary and Staff/Attorneys —

The law library staff will assist members of the judiciary, staff and members of the bar in securing all information they deem necessary to the research of legal issues or to their practice of law.

The law library staff will supplement the locally held collection with materials obtained through interlibrary loan and with computer-assisted legal research.

The law library staff will post notices of upcoming continuing legal education opportunities for attorneys and other notices of interest to the local bar.

The law library staff will mail quarterly memos to members of the local bar describing new acquisitions and library services.

Members of the judiciary and of the local bar will have 24 hour access to the law collection.

Public — The law library staff will provide legal information to the public by providing access to the materials in its collection.

Staff must advise nonlawyer patrons that, because of the ethical and legal implications concerning unauthorized practice of law, nonlawyer law library staff members cannot interpret the meaning of materials or ascertain their relevance for the patron's particular need. The staff cannot perform legal research or provide legal advice.

The law library staff will provide finding aids to the collection such as a public catalog, handouts combining an outline of the Library's holdings with a map of the stacks or handouts listing library information sources in specific subject areas, and signs posted in specific areas of the library.

The law library staff will respond to telephone queries only for such specific short answer requests as cite checks and brief definitions, OR the law library staff cannot give information over the telephone.

II. MODEL POLICY FOR LEGAL INFORMATION SERVICE FOR PUBLICLY FUNDED ACADEMIC LAW LIBRARIES

PURPOSE OF THE LIBRARY — This policy defines the information service levels law librarians should offer to the various user groups at the _____ Law Library when answering reference questions. Its purpose is to provide guidelines for levels of service and access to materials, to ensure that key groups at the university receive optimum levels of service and to define levels of service that may be provided to the public without violating ethical guidelines on the unauthorized practice of law outlined by the American Bar Association and by the state bar.

SUMMARY OF POLICIES — The _____ Law Library provides information service in support

of the research needs of the faculty, law student, graduate and undergraduate groups of the University of _____ to the fullest extent possible. The _____ Law Library will provide access to materials and service for the legal research of attorneys, affiliated groups and the public whenever possible, given the constraints of budget, staffing and time.

IMPLEMENTATION GUIDELINES

Faculty — The law library staff will assist the faculty in securing all information necessary to pursue their legal research requirements.

The law library staff will assist the faculty in securing information for their private practice only if consistent with law school policy.

Students — The law library staff will provide students with information that is class-related or that furthers their legal education.

The law library staff will provide information to students who are clerking for law firms to the fullest extent possible, taking every avenue possible to further their understanding of a legal area, given the constraints of staff time and energy, but in no way shall this group be given answers that could be viewed as providing legal advice.

Attorneys and Affiliated Groups — The law library staff will assist attorneys and affiliated groups in securing information to the fullest extent possible, given the constraints of staff time and energy. These activities could include cite checking, deciphering legal abbreviations, or Shepardizing.

Public — The law library staff will provide information to members of the public to the fullest extent possible and will strive to further their understanding of legal questions, given the constraints of staff time and energy. In no way shall this group be given answers that could be viewed as providing legal advice.

The law library staff will verify information over the phone. This may include providing short definitions or cite checking if the caller has the same piece of source material in hand and the answer could not be viewed as providing legal advice.

OR

The law library staff will not give information over the phone to the public.

To further equivalent access to legal information for this group, the law library will set up a public relations committee, develop cooperative programs with other libraries, set up public forums conducted by attorneys in public libraries on the availability of self-help information, and develop research guides or other publications that might further the pursuit of legal information.

The library is contractually precluded from furnishing access to many computerized legal research sources free of charge to an individual not directly



associated with the institution.

The law library will request additional funding from the University for legal information needed by the public based on the assumption that adequate and widely available legal information services are as necessary to the general welfare of the public as are educational or medical services and that existing law libraries are not capable of supporting adequate legal services to the public without state or Federal aid.

III. MODEL POLICY FOR LEGAL INFORMATION SERVICE FOR PRIVATELY FUNDED ACADEMIC LAW LIBRARIES

PURPOSE OF THE LIBRARY — This policy defines the information service levels law librarians should offer to the various user groups at the _____ Law Library when answering reference questions. Its purpose is to provide guidelines for levels of service and access to materials, to ensure that key groups at the university receive optimum levels of service and to define levels of service that may be provided to the public community without violating the ethical guidelines on unauthorized practice of law as set forth by the American Bar Association and the state bar.

SUMMARY OF POLICIES — The _____ Law Library provides information services in support of the research needs of the faculty, law student, graduate and undergraduate groups of the University of _____ to the fullest extent possible. The _____ Law Library will (will not) provide access to materials and service for the legal research questions of attorneys, affiliated groups and the public OR will, only on a fee-for-service basis OR whenever possible, given the constraints of budget, staffing and time.

IMPLEMENTATION GUIDELINES

Faculty — The law library staff will assist faculty members in securing all information necessary to pursue their legal research requirements.

The law library staff will assist faculty members in securing information for their private practice only if approved by law school policy.

Students — The law library staff will assist students in securing all information that is class-related or that furthers their legal education.

The law library staff will (will not) provide information to students who are clerking for law firms and will (but will) take every avenue possible to further their understanding of a legal area, given the constraints of staff time and energy. However, this group shall not be given answers that could be viewed as providing legal advice.

Attorneys and Affiliated Groups — The law library staff will (will not) provide information to attorneys and affiliated groups whenever possible based on a fee for service subscription with the law library, OR given the constraints of staff time and energy. These activities could include cite checking, deciphering legal abbreviations, Shepardizing cases, or providing information over the phone if these activities could not be construed as providing legal advice.

Public — The law library staff will (will not) provide information to members of the public and will (but will) strive to further their understanding of legal questions, given the constraints of staff time and energy. This group shall not be given answers that could be viewed as providing legal advice or interpretation of the law.

Staff should advise nonlawyer patrons that ethical and legal guidelines preclude the law library staff from interpreting the meaning of materials or from ascertaining the relevance of materials for the user's particular need, nor can legal research or legal advice be provided.

The law library staff will provide answers to specific questions over the phone. This may include providing short definitions or cite checking if the caller has the same piece of material in hand and the answer could not be viewed as providing legal advice.

OR

The law library staff will provide answers to specific questions over the phone if the patron has a citation and the answers are read verbatim and without interpretation.

OR

The law library staff will not give information over the phone to the public.

The library is contractually precluded from furnishing access to most computerized legal research information sources free of charge to an individual not directly associated with the institution.

To further equal access to legal materials for the public, the law library will set up a public relations committee, develop cooperative programs with other libraries, set up public forums conducted by attorneys in public libraries on the availability of self-help information, and will develop pathfinders or other publications that might further their pursuit for legal information.

The law library will request additional funding from the University or the state for legal information needed by the public based on the assumption that adequate and widely available legal services are as necessary to the general welfare of the public as are educational or medical services, and that existing law libraries are not capable, without state or Federal aid, of supporting adequate legal services to the public.

INMATE ACCESS TO THE COURTS AND MORE THROUGH NEW YORK STATE'S PRISON LAW LIBRARIES*

*By Jean Clancy Botta, Law Library Coordinator,
New York State Department of Correctional Services, Albany, NY*

Correctional administrators in New York recognized the importance of prison law libraries to their clients even before the United States Supreme Court decided, in *Bounds v. Smith*,¹ that states must guarantee to prisoners the ability to pursue their constitutionally mandated right to due process of law. In 1977, the Supreme Court held in the *Bounds* decision that,

...the fundamental constitutional right of access to the courts requires prison authorities to assist inmates in the preparation and filing of meaningful legal papers by providing prisoners with adequate law libraries or adequate assistance from persons trained in law.²

In 1972, the State Department of Correctional Services (DOCS) established six inmate law libraries: at Attica, Great Meadow, Clinton, Auburn, Green Haven and Elmira Correctional Facilities. To some extent, this initiative was driven by the tragedy at Attica Correctional Facility in 1971, where one of the worst riots in American prison history occurred. Among the grievances voiced by the Attica inmates was the absence of an adequate law library.

Actually, quasi-official law libraries were maintained at Attica and some of the other maximum-security facilities before 1972, but both access and collection size were limited. Clinton's law library was probably the best of the early law libraries because of the dedication of a correction officer who managed it for more than 25 years.

The Law Library Program really became an officially recognized and supported program in 1972 with the influx of Federal grant monies. The Department's Counsel's Office took administrative responsibility for the program at that time.

Correction officers, rather than law librarians, were assigned responsibility for managing these first law libraries for two reasons. First, the Federal grant money that helped pay for these libraries provided no funding for staff. Second, the era of hiring

civilian employees to administer prison programs was just dawning. Departmental administrators did not even consider hiring professional librarians at this time.

It would be wrong to portray the dual roles of correction officer and law library supervisor as a natural combination of responsibilities. However, over the years, several outstanding law library supervisors have been very successful in managing their facilities' law libraries. They have succeeded because they established consistent and fair procedures for the management of the libraries, and they treated inmate law clerks and law library users with respect. These correction officers were able to make this commitment because they understood that people in institutions need the hope of freedom and justice that is promised by access to the courts in order to survive behind bars. These law library supervisors have served as powerful role models for their peers.

Jailhouse lawyers were recruited from the inmate population as the first law clerks. Their previous self-training was bolstered by courses in basic legal research.

Potential law clerks from the facilities receiving the new law libraries were sent to Green Haven and Great Meadow to participate in the first training sessions. Early courses were conducted through a strictly trial-and-error approach. Staff, volunteers (from West Publishing Company) and inmates all worked together to develop viable training programs that would help the inmate law clerks assist their peers in drafting legal documents (and thus obtain access to the courts) and to maintain their new law libraries. The graduates of the first courses were expected to go back to their home facilities and pass on the knowledge they gained to new classes of law clerks at their facilities.

In the early 1980s, volunteer law school professors and attorneys, predominantly from the downstate legal

*The author expresses appreciation to Anthony Annucci, Department of Correctional Services Deputy Commissioner and Counsel, for editorial assistance and to Lisa Areford, graduate student at the State University of New York at Albany, School of Information Science and Policy, for research assistance.

community, participated in extended legal research courses offered to staff and inmates alike at Sing Sing Correctional Facility. These advanced courses were organized by a dedicated inmate law clerk.

From 1972 to 1986 the Inmate Law Library Program grew along with the Department. As the prison population surged and as many new medium-security facilities were opened, law libraries were installed in each new facility. The correction officer as law library supervisor staffing model continued with only a few exceptions. At several of the prisons, professional librarians who were hired to run general library programs were required to manage the law libraries as well. Law Library Programs managed by librarians have been notably free of inmate complaints and grievances.

Unfortunately, the practice of passing legal know-how on to new generations of law clerks began to run out of speed in the early 1980s, perhaps as a result of too many retellings of the Legal Research Course by nonlawyers. Counsel's Office bolstered the program by assigning Sing Sing's law library supervisor, a correction officer, to do double duty as a statewide Law Library Program troubleshooter. A plan was worked out with West Publishing Company's lawyer-sales representatives to conduct three day "crash courses" in basic legal research at each new correctional facility so that the inmate law libraries would be opened with a cadre of trained law clerks. New law library supervisors were encouraged to participate in this training as well.

In 1986 Counsel's Office determined that a librarian with prison law library experience would be an asset to the administrative structure of the statewide Law Library Program. This writer, who had previously worked in public library and school library environments, and most recently as the prison librarian at the Department's Mt. McGregor Correctional Facility, was recruited to fill the new position of Law Library Coordinator.

The challenge of standardizing statewide Law Library Program procedures in a period of unexpected prison population growth has been the major task assigned to the Law Library Coordinator. During the last four years the following activities have been tackled: 1) establishing job descriptions, training programs and regional networks for law library supervisors; 2) preparing a *Handbook for Administration of Correctional Facility Law Libraries*; 3) developing guidelines for conducting law clerk training courses using recognized law school texts coupled with administration of a standardized final examination for course participants; 4) implementing use of a law clerk contract and code of ethics; 5) developing guidelines for collection holdings at prisons of various sizes; 6) setting up law libraries at 11 new correctional facilities.

THE DOCS LAW LIBRARY PROGRAM TODAY

Today the DOCS Law Library Coordinator administers 77 law libraries of various sizes in 58 of the Department's 61 correctional facilities. There are approximately 54,000 inmates in the system at this time. The Department's General Library Program is administered separately.

Inmates at larger facilities, with maximum- and medium-security classifications, have access to full law libraries containing Federal and State case law from 1960 to date. Appropriate digests and Shepard's citators are also available. Annotated Federal and State statutes, form books and applicable State rules, regulations and departmental directives are stocked as well. Other holdings include self-help works directed at inmate *pro se* litigants and instructional texts in legal research and writing. A legal encyclopedia, a law dictionary and treatises on criminal law, post-conviction remedies, family law and immigration law round out these larger collections. These prison law library collections compare favorably with those specified in standards for institutional law libraries established by the American Association of Law Libraries and the American Correctional Association. Unlike other states where inmate law libraries have been established, but not maintained and updated, New York State has consistently maintained its law library collections since the Program's inception.

Correctional camps, shock incarceration facilities and minimum-security facilities maintain abridged collections, but interlibrary loan service from larger facility law libraries is available on an "as needed" basis. Inmates at urban-based work release facilities may obtain passes to utilize local law libraries.

Several facilities have developed mini- or annex law libraries to accommodate inmates who are segregated from the inmate general population because of their disciplinary or protective custody status. Such libraries are generally operated as satellites of larger, fully stocked collections.

Law Libraries in the system are mandated to be open 42 hours per week; however, schedule variances are offered to correctional camps and shock incarceration facilities where inmates' free time is limited. Access to law libraries and law library services is offered on a first come-first served basis. Although inmates are required to use law libraries during their free time, they are permitted special access to law libraries if they can demonstrate a need to meet court mandated deadlines. Some inmates are not permitted to visit the law library because of their disciplinary, protective custody or health status. These inmates receive outreach services from the law library, including cell study of requested books and legal assistance services from law clerks.

Although legal assistance by the law clerks is available at most facilities, inmates are encouraged to work on their own legal matters if they are intellectually capable; otherwise, they may work closely with an inmate law clerk to explore possible legal remedies. Law clerks perform a variety of tasks. Entry-level jobs include bookclerking, typing and collection updating tasks. More experienced clerks give individual and group instruction in legal research, and many clerks perform paralegal and attorney functions. Law clerks are instructed to refer inmates with complex legal problems to free legal service agencies or to private counsel. Law clerks are paid top inmate wages to work in law libraries, and they are precluded from charging individual inmates for their services; however, unethical law clerks have been known to make illicit payment arrangements with their inmate clients.

Ethnically representative law clerk staffing practices are urged. Due to the large number of Hispanic inmates in the system, most law libraries employ bilingual law clerks and translators.

Law Library Supervisors function as middle managers in the correctional facility environment. They are expected to supervise a staff of inmate law clerks and manage their collection resources. It is also their responsibility, under the direction of a deputy superintendent at their facility, to ensure that the inmate population obtains timely and equitable access to the law library and legal assistance services.

Networking among law library supervisors is encouraged to facilitate exchange of information, provide interlibrary loan services from full law libraries to abridged collections, exchange references about the qualifications of law clerks who have transferred from one facility to another and provide replacement pages to neighboring facilities where loss or vandalism of books has occurred.

Bounds vs. Smith mandates that indigent inmates be provided with legal writing supplies and postage. Law library supervisors distribute reasonable quantities of paper, carbon paper, envelopes and pens to inmates for this purpose. Most law libraries are equipped with typewriters and inmates may either

type their own legal documents or request typing service from the law clerking staff. Fee-based photocopying services for legal documents are available at all facilities.

The New York State Library provides invaluable support to *pro se* litigants through its Prisoner Services Project. Inmates may write directly to this library for photocopies of legal materials not held in their facility law libraries. Occasionally, inmates use the New York State Interlibrary Loan (NYSILL) network by requesting law books or periodical articles through their facility general libraries. Most of these libraries are connected to the NYSILL network through their local public library systems.

One major criticism of prison law libraries is discussed in the literature. Arturo Flores, in his scathing *Law Library Journal* article entitled "Bounds and Reality: Lawbooks Alone Do Not a Lawyer Make,"³ points out that most inmates are totally incapable of personally pursuing remedies for their legal problems because they are not lawyers. He makes a strong case that inmates, many of whom are illiterate, cannot make meaningful use of the law libraries that are provided for them to ensure their access to the courts.

Flores argues for enactment of extensive free legal service programs, the second option offered by the *Bounds* decision, as well as the continuation of existing law library programs.

New York State has not been unmindful of this reality. Besides funding DOCS' Inmate Law Library Program, the State also supports Prisoners Legal Services of New York and various Legal Aid Societies around the State. These free legal service organizations offer invaluable services to inmates who cannot afford to retain private counsel. In recent years, referral skills have been incorporated into DOCS' Legal Research Course for law clerks. This has been done to help them understand when requested legal assistance is beyond their capability and referral to free legal service agencies should be made. However, it is through DOCS' Law Library Program that most inmates learn about their post-conviction rights.



INMATE LAW CLERK
AGREEMENT

I, _____ DIN # _____
will accept employment in the Law Library at _____
Correctional Facility if I am offered a position.

LAW CLERK JOB ETHICS/PROCEDURES

I have discussed the following law clerk job ethics and procedures with the law library supervisor and I agree to adhere to these standards to the best of my ability:

1. I will comply with all law library rules, regulations and procedures. I have read and I understand DOCS' Directive 4483, "Law Libraries and Inmate Legal Assistance"; I agree to comply with its provisions as practiced in this law library. I will not take advantage of my position as law clerk to do special favors for anyone. I will not accept or request payment of any type from or on behalf of an inmate in exchange for my legal assistance.
2. I will show no prejudice in my provision of law library services. I will provide law library services on a "first come, first served" basis.
3. I will conduct all legal assistance activities in the law library only. I will refrain from providing legal assistance in other facility areas. I understand that I may not accept or review an inmate's legal papers in any facility area except the law library. If an inmate leaves legal papers with me to review after he leaves the library, I will comply with law library receipting and filing procedures. I will document my legal assistance activities as instructed by the law library supervisor.

NEEDED IMPROVEMENTS

Inmate access to the courts could be improved in several ways. Improvement could come through enhancement of the law library supervisory staffing model for the larger correctional facilities, increased commitment to *pro bono* services to indigent inmates from attorneys throughout the State and development of a service ethic concerning the incarcerated by law school students.

The addition of law librarians to the staff at the Department's maximum-security facilities would impact favorably on the Inmate Law Library Program. In maximum-security facilities, where many inmates are initially confined, law librarians would be able to provide higher quality reference and referral services to inmates who are perfecting an appeal from conviction. These law librarians could also teach legal research courses and provide advisory services to law library supervisors who are correction officers in nearby medium- and minimum-security facilities as well as at correctional camps and shock incarceration facilities.

Given the overload being experienced by the free legal service agencies in the State, higher levels of *pro bono* services for the incarcerated indigent by attorneys from the local communities are sorely needed. This service commitment could be instilled in law school students by encouraging them to take a more active role in providing legal assistance services to inmates early in their careers. The School of Law at the State University of New York at Buffalo provides legal research instruction programs in the prisons of western New York, and Columbia University Law School has prepared self-help works for jailhouse lawyers. Other law schools in the State should assist indigent inmates to pursue post-conviction remedies.

CONCLUSION

Throughout the 18-year history of DOCS' Law Library Program, it has often been a struggle to con-

vince Department staff of the viability and legal necessity for the existence of the program. This mind set is understandable, for it appears at times that inmates have more rights than staff. The fact that many inmates misuse the program by filing frivolous law suits, some of which are aimed at staff, is an uncomfortable reality of work in corrections. Some unscrupulous law clerks and jailhouse lawyers use their alleged knowledge of the law to take advantage of illiterate or vulnerable inmates in the prison population. Vandalism of the collection by law library users is a problem at some of the maximum-security facilities.

Some critics believe the minimal success rate achieved by inmates in resolving their legal problems through the Law Library Program doesn't justify its existence. However, success cannot be measured solely by the number of lawsuits resulting in favorable decisions. Utilization of the legal system teaches inmates about due process, mediation and the function and structure of government. Reentry skills and behaviors acquired through use of the law library include: improved reading and comprehension, the use of library and information resources, self-help techniques, self-discipline and, occasionally, altruism.

DOCS' Law Library Program continues to overcome hurdles to fulfill its commitment to providing inmates with a legitimate means for gaining access to the legal system. It has done so through the ongoing commitment of the Department's Commissioners and their Counsels, conscientious law library supervisors, enlightened superintendents and several cycles of dedicated inmate law clerks. As a result, the Inmate Law Library Program in New York's State prisons is alive and well.

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- 3 Flores, Arturo A., "Bounds and Reality: Lawbooks Alone Do Not a Lawyer Make," *Law Library Journal*, v77, Spring 1984-1985. pp. 275-287.

PRESERVING DOCUMENTATION OF THE LEGAL PROFESSION*

*By Morris L. Cohen, Law Librarian and Professor of Law,
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The legal profession has played an enormous role in the growth of the United States, and historians have recently begun to focus greater attention on lawyers and legal developments. There is a renaissance of legal history in American law schools. Many new courses are being offered, several journals have been started, and historical research and writing have been growing rapidly.

As a result, libraries and librarians are developing their historical collections, adding rare books and manuscripts as well as reprints and microforms. Libraries that have the resources to store and maintain law-related manuscript collections provide critical support to scholarship. Librarians who are aware of the historical value, nature and problems of lawyers' papers can help ensure that these documents are not lost or destroyed.

Manuscript collections are particularly important because historical issues in litigation and court decisions are being explored more fully and with greater sophistication. As courts hear arguments and decide cases based on historical analysis, the need of the bench and bar for materials to support such arguments grows. Legal scholars follow these developments with interest and provide research that in turn stimulates new arguments and new decisions.

Social as well as legal historians have an interest in such topics as how lawyers are educated, the types of practice they choose, the kinds of cases they take, the nature and extent of fees charged, the type of community service they or their firms perform and their ethical standards. Often an investigation of the personal or professional experiences documented in personal papers of a judge is helpful to historians analyzing judicial developments. In addition to studying the way lawyers or judges handled certain significant cases, some historians want to do statistical research on vast numbers of routine cases or clients. For this reason large collections of case files spanning many years can be valuable research material.

NATURE OF LAW-RELATED MANUSCRIPT COLLECTIONS

Documentation of the activities of lawyers may be

found in a wide range of sources. Usually records of the work of 19th century lawyers have been preserved along with family papers or the records of a business. Twentieth century lawyers' activities are documented in personal or firm papers, files of governmental agencies or commissions, files of famous cases or investigations, legislative histories, bar association records, or the files of private organizations or interest groups. Other important aspects of the profession are documented in the personal papers of judges and law professors.

A lawyer's working papers may consist of the firm's administrative files, correspondence, case files, financial records, daybooks and research material. Judges' papers may contain correspondence, notes made in conference with other judges and drafts of opinions. And law professors' papers often include correspondence, working papers for research or consulting projects, teaching materials and faculty committee work.

Since it is the duty of lawyers to protect the privacy of their clients, whether the client be a huge corporation or a single individual, many lawyers are not inclined to release any of their papers for future research. Furthermore, most lawyers, whose research is focused on finding recent precedents, do not think of their work product in terms of its own future historical value and, therefore, are not aware that their files may serve another purpose at a later time. As a result, in comparison with the number of collections related to the work of Supreme Court justices, judges or law professors in manuscript repositories, there is a dearth of documentation of the work of practicing lawyers.

Collections of lawyers' papers are not without their challenges for repositories. One challenge is simply a matter of bulk. While a lawyer may wish to donate the files of a particular case or project, he or she could also offer a lifetime's work filling hundreds of cartons. A small repository may be unable to consider such a gift because of space constraints. Institutions having to refuse any legal manuscript material, but particularly the rare offer of lawyers' papers, can do a great service for historians by referring the donor to another repository with an interest in legal materials.

CONFIDENTIALITY

Dealing with issues of confidentiality that inevitably arise in connection with lawyers' papers is

*This article is adapted from a longer discussion appearing in a forthcoming issue of the *Law Library Journal*.



Be it Remembered That Benjamin Palmer
 appeared in the Justice Court of the City of New York held at the City Hall of
 the said City on Thursday the twenty ninth day of November in the Year of our
 Lord one thousand eight hundred and ten (the said Court being a Court of Record,
 having a Common Law Jurisdiction, and a Clerk and Seals) and the said Benjamin
 Palmer having proved to the satisfaction of the said Court, that he was residing
 within the limits and under the jurisdiction of the United States, between the eighth day
 of June One thousand seven hundred and ninety eight, and the fourteenth
 day of April One thousand eight hundred and ten, that he has continued to
 reside within the same, and hath resided One Year at least within this State
 of New York and during that time aforesaid, he has behaved as a man of good
 moral Character, attached to the Principles of the Constitution of the United
 States, and well disposed to the good order and happiness of the same. And having in the
 said Court taken the oath prescribed by law, to support the Constitution of the United
 States, and having also in open Court, absolutely and entirely renounced and abjured all
 allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever,
 and particularly to the King of the United Kingdom of Great Britain and Ireland of
 whom he was then a subject, the said Benjamin Palmer was thereupon pursuant
 to the laws of the United States, in such case made and provided, admitted by the said
 Court to be, and he is accordingly to be considered a citizen of the United States.

Given under the Seal of the said Court, this twenty ninth day of
 November in the Year of our Lord one thousand eight hundred and ten.

Benjamin

John Sedell Clark

This certificate of naturalization of Benjamin Palmer, signed by the clerk of the Justice Court of the City of New York, November 29, 1810, and certified on the verso in 1813, illustrates the scholarly value of unpublished legal documents. Palmer may have been a seaman who needed this document for protection from impressment by the British.

usually a greater challenge than finding adequate storage space. Lawyers are bound by law and their codes of professional ethics to protect all confidences revealed by clients during the course of representation, unless the client consents to disclosure or the lawyer is required by law to disclose. Consequently lawyers' papers that contain case files holding confidential information cannot be open to research without clients' permission. Some lawyers believe that files containing confidential information should never be seen by outsiders, but other lawyers, believing their records have historical value, may donate the papers to libraries in the hope that some day scholars may be allowed to make use of them. Repositories receiving collections containing confidential records should be prepared to devote time to opening as much of the collection as possible and space to storing the closed files for perhaps an indefinite period of time.

At the time a collection containing confidential files is donated, a research access arrangement should be worked out with the donor. If the donor is not a lawyer, the confidentiality issue should be explained

to him or her. Repositories holding lawyers' confidential files have devised a variety of access agreements, and thus far there have been no lawsuits regarding any of them. Virtually all require the researcher to submit his or her research proposal to a committee before access is granted. Some arrangements will allow the researcher to see files that are older than 50 to 75 years. Some may allow access to younger files for certain types of research, as long as no names or other identifying information is used. And there is at least one arrangement that requires the researcher to make a good faith effort to seek clients' permission to see their files but that allows access if the clients cannot be found.

A case file may not be wholly confidential. If it contains information made public during a trial, for example, it probably does not need to be closed to research. However, if it contains any private information revealed to the lawyer during the attorney-client relationship, it is a confidential file. Because of the variable nature of client case files, processing them can be labor-intensive. Repositories may decide to

review each file separately to determine which are truly confidential and to restrict access only to those that are. The advantage to this method is that it allows immediate access to a greater number of documents, but the drawback is that a close review of 20 or 30 years' worth of case files can take a huge amount of staff time. Needless to say, historians would argue that the time and effort spent are well worth it.

MAINTENANCE AND LOCATIONS OF COLLECTIONS

The care and treatment of manuscript collections should be undertaken by professionals to ensure that the historical value of the papers is not lost or undermined. The attention of a well-meaning but untrained caretaker can cause irreparable damage. On the other hand, collections that have not been processed at all are virtually inaccessible to research, as are those without adequate finding aids. Consequently, libraries that intend to collect manuscripts and make them available to scholars should hire a professional archivist.

Law-related manuscripts are found in many general academic libraries and historical society collections, and, in recent years, a number of academic law libraries have begun to accept lawyers' papers. General repositories with especially strong collections include the Bentley Historical Library at the University of Michigan, the Henry E. Huntington Library and the Yale University Library. Harvard in the 1960s was the first law library to develop manuscript collections systematically, and now, with over 2,000 linear feet of papers, its holdings are the largest and most significant of any law library. The other law libraries that followed Harvard's lead in hiring an archivist and actively seeking manuscript collections were Virginia in the late 1970s and Dickinson, Hastings Georgetown and Texas in the 1980s. About 35 other law libraries have law-related manuscript collections but have not yet been able to hire an archivist to care for them. The Columbia University Law Library has the largest holdings of libraries in this group.

Advances in information technology are making an impact on the administration of archives. During the past ten years archivists have helped to develop and are now making use of the USMARC Archival and Manuscripts Control format for cataloging collections in their care. The capability for nationwide access to holdings through RLIN and OCLC is expected to increase dramatically the research use of primary source material. Another relatively recent project, Chadwyck-Healey's *National Inventory of Documentary Sources in the United States*, makes the finding

aids of participating repositories throughout the country available on microfiche. Repositories holding law-related collections can reach the widest possible number and type of scholars by making use of these nationwide information services.

CONCLUSION

The collecting of law-related manuscript material, formerly centered in general repositories, is gradually being undertaken by law libraries as well. Librarians in firm, public or academic law libraries may assist efforts to preserve these historically valuable papers. Those in firms may influence partners to donate old records to an appropriate repository, or to urge them to find permanent storage as an alternative to destroying the files. Public or academic law librarians with adequate resources, space and donor contacts should consider this area of collection development. However, short of collecting the material, these librarians can perform the greatest service by learning about the collections and collecting policies of nearby repositories and encouraging prospective donors to find a suitable institution for their papers.

SUGGESTED READING

- American Archivist*, v49, n1, 1986. Has three excellent articles on the MARC Archives and Manuscripts Control format.
- Archivaria*, v18, 1984, and v24, 1987. Contain several articles about the substantial efforts of Canadian archivists and historians to find solutions to the problems of research access to lawyers' papers.
- Chadbourn, Erika S., "Documenting the American Legal Scene," *Harvard Library Bulletin*, v55, n1, 1982. Description of the Harvard Law School Library's Manuscript Collection.
- Hensen, Steven, *Archives, Personal Papers and Manuscripts: A Cataloging Manual for Archival Repositories, Historical Societies, and Manuscript Libraries* (2d ed. 1989).
- Kaplan, David A., "A Matter of Truth or Confidences; Does Attorney-Client Privilege Outweigh Demands of History?" *National Law Journal*, v10, n43, July 4, 1988. pp. 36-7. Presents the lawyer-client confidentiality issue and both sides of the debate concerning historical research in lawyers' papers.
- Law Library Journal*, v69, n4, 1976. Devoted almost entirely to the subject of legal historical research.
- SAA Basic Manual Series*. Over 20 manuals on archival administration available from the Society of American Archivists, 600 S. Federal, Suite 504, Chicago, IL 60605.

LAW LIBRARY NETWORKING

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For a long time, law libraries were considered elitist, outcast or snobbish, depending on what library group or organization was doing the describing. The impression continues that law libraries are not networking or are failing to be truly cooperative with other types of libraries. The truth is that law libraries are becoming part of networks and are more interactive than ever before. This article describes networks in which law libraries participate, focuses on specialized networks New York law libraries have joined, looks at networking created by law library organizations, identifies networking problems and speculates on what future networks might contain.

Law library network activity is not extensively reported. A search of the past 10 years' literature in three databases produced 26 articles, 6 of them on foreign networking.¹ Part of the problem of locating law library articles is the lack of a legal periodical indexing service as thorough as that for medical libraries. Thus an article with excellent information about networking but labeled "Cooperative Acquisitions Among Law Libraries: A Review"² is totally missed unless the author happens to stumble across it!

What are some of the components of networking? Goldblatt and Reams suggested such aspects as "resource sharing programs with interlibrary loan and document delivery agreements, union lists, reciprocal borrowing privileges, cooperative cataloging,"³ and cooperative acquisition programs. Additional network activities could be donation or transfer of materials, educational programs for participants and technical telecommunication links between libraries.

THE START OF LAW LIBRARY NETWORKS

Library networking began flourishing in the 1970s. Increased numbers of publications, limited space, depressed collection budgets and technological advances all contributed to resource sharing. A major step forward occurred when a "white knight named MARC (*Machine Readable Cataloging*) appeared on the scene....The MARC format made bibliographic linkage possible and linkage is the core of...library networking. MARC...is now accepted as the *de facto* national standard. Resource sharing requires that records be exchanged, and information processing must adhere to the same standardized form."⁴

The drive toward networking in law libraries in the

1980s is symbolized by the establishment in 1984 of the Council of Law Library Consortia. Its purpose was to act as a clearinghouse for ideas and activities of the existing law library consortia. The first members of the Council were the Chicago Legal Academic Network (CLAN), Legal Information Network of New York, Council on Institutional Cooperation (CIC), Law Library Microform Consortium, LАWNET, Michigan Legal Information Network, Mid-America Law School Library Consortium, Mid-Atlantic Law Library Cooperative, New England Law Library Consortium, New York Joint International Law Program, Ontario Law School Libraries Consortium, Pacific Northwest Law Library Consortium, and a nascent southeastern group.⁵

Today, the Council has several additional members with the Oregon Council of Court Libraries, the Los Angeles Long Range Planning Committee, the Association of Jesuit Colleges and Universities (AJCU), the Arizona Law Library Consortium, the Ohio Regional Academic Consortium of Law Libraries (ORACLL), the California County Law Libraries and the Texas Academic Law Libraries (TALL) having been added.⁶

New York law libraries have joined some of these consortia. Albany Law School is the only New York fully participating member in the New England Law Library Consortium. The Law Library Microform Consortium (LLMC) has over 60 New York law libraries as participants. It has been in existence since 1976 and is dedicated to shared-cost production of high quality legal microforms. Total membership to date is over 700 law and general libraries. The Legal Information Network of New York and the New York Joint International Law Program are the only consortia having only New York members.

NEW YORK'S NETWORKS

The Legal Information Network of New York (LINNY), founded in 1982, originally consisted of three member libraries — the Association for the Bar of the City of New York, the Columbia Law School Library, and the New York University Law Library.

By banding together, these three libraries not only share their almost two million volumes; they are sharing their purchasing power. Each has purchased the same computerized acquisition and

serials control system, and the three systems are being linked by telephone. Before an order is placed at one, it can be checked in the "on order" files of the other two; decisions can be made to limit the number of copies to what is needed.⁷

In 1986, Fordham Law School Library was added to the network. All libraries have INNOVAQ and can dial up each other's databases. By 1988, telefax use between N.Y.U. and Columbia Law School had grown to more than 200 pages a month.⁸ Fordham has this same free fax exchange service. Student and professor dial-up access to the databases of all libraries is still in the planning stages. The three academic libraries are working with the Yale and University of Pennsylvania law libraries on division of responsibility for foreign and international materials.

The second New York law network is the New York Joint International Law Program (JILP). Its members are the New York Law School Library, Brooklyn Law School Library and the Library of City University of New York Law School at Queens College. The network has received considerable attention because of the nature of its program and the fact that the libraries decided:

to formulate a comprehensive program through which they would share their existing collections and pool their financial resources to build a single, research-level collection of contemporary international law materials that would rival any collection in the area. The three law schools decided to share human resources as well and hire a single person who would work for all three schools and coordinate the project....No other formal or informal law library consortium had ever contemplated sharing staff.⁹

Today, the JILP program is alive and well. A consultant is paid by all three schools, and work is finishing on the last subject areas. A 500-page working bibliography on international law is the focus of the project. It indicates exactly what each school owns in each of the designated subject areas. Each school contributes equal acquisition funds and equal amounts on the personnel costs. The next step will be to concentrate on the research, reference and interlibrary loan aspects of this shared collection.¹⁰

ONLINE BIBLIOGRAPHIC NETWORKS

In the 1980s, to support cataloging, acquisition and interlibrary loan services, law libraries joined the national bibliographic networks, OCLC, RLIN, and WLN. OCLC began in 1967 as the Ohio College Library Center with 54 Ohio College libraries as members. Today, its name stands for Online Com-

puter Library Center and its total membership consists of over 10,000 libraries worldwide, with 355 million location symbols for items held, 22 million bibliographic records and 5 million serial holdings.¹¹ Libraries have several options available when joining OCLC. One can be a union list member, a cataloging member, an interlibrary loan member or combination of these.

For law libraries, an additional OCLC feature added in June 1989 was membership in LEGEND (Legal Electronic Network and Database.) A LEGEND membership allows a law library to search only law-related bibliographic records and location information. Because LEGEND restricts the number of holdings being searched, it is faster than searching the entire 22 million records. Because the holding libraries listed will all be law libraries, identification of lenders is faster. LEGEND is too new a product to have had an independent evaluation by the users. Many law libraries have joined OCLC for this option only. It would be interesting to have current information on how often law libraries go after nonlaw-related materials and how often law materials are loaned to nonlaw libraries. An OCLC study in 1987 found 25.3 percent of all loans by law libraries were to other law libraries and 30.2 percent of the borrowing by law libraries was from other law libraries. Most of the loaning and borrowing by law libraries was done with "academic research" and "academic" libraries.¹² However, these proportions may change drastically as more law library holdings and more law libraries become active participants on OCLC.

OCLC participation can be defined as being active in cataloging, interlibrary loan or union listing. Unfortunately, figures on participation are unavailable from OCLC for the earlier years of law library membership. In 1979, union lists began appearing on OCLC, and members were first billed for these products in fiscal year 1980/81. Using billing as an indication of active membership, OCLC was able to provide law library membership figures for fiscal years 1980/81, 1985/86 and 1989/90, but, if a law library was an OCLC member using its main institution code or acted through an agent, it is obviously not included in the following figures:

OCLC Law Library Members

	1980/81	1984/85	1989/90	LEGEND
Government Libraries	11	42	83	109
Law Firm Libraries	12	49	131	245
Law School Libraries	73	121	137	145
Other	5	9	18	17

At present, OCLC has 596 unique member symbols assigned a "law" type code or assigned to LEGEND

members. For this group there are 5,194,492 holdings and 167,543 local data records stored.¹³ Unfortunately, OCLC has no law advisory group as has developed with the Research Library Group Inc.'s RLIN network. This may be in part because libraries normally, but not necessarily, join OCLC through a regional network. For example, almost all New York law libraries are members of SUNY/OCLC, the regional network for New York. The pattern of law library membership in SUNY/OCLC is as follows:

SUNY/OCLC Law Library Members¹⁴

	1980	1983	1985	1987	1989	Mid-1990
Government Libraries	0	1	3	6	17	18
Law Firm Libraries	0	3	4	7	10	11
Law School Libraries	1	4	8	8	11	11
Total	1	8	15	21	38	40

As with OCLC membership figures, if libraries are members using a single symbol for their main institution they are most likely not represented in these figures. Plans are underway to create a law library group within SUNY/OCLC that would have its own representation on the SUNY/OCLC Network Advisory Committee (SONAC) and could work for programs to benefit the law library members. Thus law libraries are becoming increasingly active in the OCLC network.

The second national online bibliographic network is the Research Libraries Information Network (RLIN), a program of the Research Libraries Group, Inc., (RLG). Founded in 1974, RLG is a nonprofit corporation owned and operated by its member universities.¹⁵ Two of its primary objectives were "to create a computer-based system which would improve efficiency in library operations and to provide a structure where common problems could be addressed."¹⁶

RLIN is computerized cataloging service with two major subsystems: a combined acquisitions-cataloging system and an authorities system.¹⁷ RLG has a Law Program Committee comprised of representatives from the law libraries in its member universities. Presently, that committee consists of 25 law libraries. Established in 1977, the committee has concentrated on "promoting the use of and enriching the contents of the RLIN databases, and developing effective means of law library cooperation."¹⁸ An excellent document on the committee and its parts and plans for the future is Gail Daly's *Strategic Plan for the Law Program Committee*, published in January 1990 and available from RLG.

RLIN members may be of three service types: Technical Services, Interlibrary Loan or Search-only. The

breakdown of law library members as of August 3, 1990, is as follows:

RLIN Law Library Members¹⁹

	Technical	ILL	Search
Government Libraries	5	2	10
Law firm libraries	16	1	104
Law school libraries	36	18	35
Other	-	-	3

Because an institution may have several symbols or be counted twice in this breakdown, the figures are approximate. They represent a huge contrast from May 1980 when 31 law libraries were members. At that time, there were four search-only libraries, one firm, one law school and two government libraries. In the technical services area there were 4 government libraries, 2 law firm libraries and 21 law libraries.²⁰ Thus in 10 years membership has gone from 31 to over 200, quite an increase in such a short time.

RLIN figures for law books and serials are impressive. There are 180,607 titles in the books file and 27,129 serials titles classed just in the Library of Congress law (K) classification.²¹ A sampling of 20 of the 58 Technical Processing Libraries shows that over 109,123 serial records and 1,155,505 book records are part of the database. With other RLIN files these 20 law libraries have 1,272,159 records. As more and more law library holdings become automated, these figures will continue to grow.

The Western Library Network (WLN) is an agency of the State of Washington and has libraries using the system for processing or for searching only. The article "A Comparison of OCLC, WLN, and RLIN for Public Services: A 1985 Update"²² gives a detailed analysis of the composition, searching strategy, special uses, costs and documentation for this system. Although its database has been transported elsewhere, its membership continues to be concentrated on the West Coast, including Alaska.

NETWORKING ASSISTANCE FROM AALL

The American Association of Law Libraries (AALL) has done much to assist networking. In the late 1970s its LOWNET committee was assigned the task of creating a law library network. It prepared a microfiche set of the consolidated descriptive cataloging records of 53 libraries. The committee's goal was later expanded to include developing document delivery systems and programs for cooperative acquisitions. In 1982 the Association appointed a Special Committee on a National Law Library.

The Association has now established a National Legal Resources Committee charged with monitoring developments affecting the availability of legal information resources in the nation's law libraries.²³ The

draft of the Strategic Plan for the AALL released this year has many facets that will assist networking, including working with the RLG Law Program Committee, supporting national standards for a common command language for online interactive information retrieval, encouraging the activities of Council of Law Library Consortia, participating in groups that facilitate networking and cooperation, and participating in formulation and dissemination of national standards for shared bibliographic data.²⁴ Unfortunately, the Law Library of The Library of Congress lacks the same stature as the National Library of Medicine, so the effort to develop a national legal information network has had to progress from institutions upward and has lacked the funding and manpower to create a comprehensive scheme.

AALL CHAPTER ACTIVITIES

There is another avenue for networking for New York law libraries. Many of them belong to one or both of the AALL chapters in New York. The Law Library Association of Greater New York (LLAGNY) consists mainly of law libraries in New York City and its environs, while The Association of Law Libraries of Upstate New York (ALLUNY) gains its members from the upstate areas of Syracuse, Rochester, Buffalo and Albany. There is some overlapping membership. Neither chapter limits membership to those who are part of the national AALL organization. Both require members to be working in either a law library or a library with a separately maintained law section or to be providing services as a professional librarian to law libraries. There are also categories for associate and life members. Membership fees are quite a bargain: \$30 for LLAGNY and \$10 for ALLUNY. Members receive a directory (The last LLAGNY one was over 100 pages long), periodic newsletters, special rates on educational programs, and discounts at the annual AALL meeting.

These AALL chapters facilitate networking in many ways. LLAGNY produces an extensive union list of serials. The next edition, to appear in the first quarter of 1991, will have holdings from over 200 member organizations and 4,500 member titles.²⁵ The chapters both feature lists of duplicate or weeded materials available at little or no cost to members. Chapter programs are designed to educate members while fostering interpersonal networks. These interpersonal chapter member friendships often form the basis for some of the most active informal networking, and may cross boundaries between types of libraries and even state and national borders. A phone call or fax message is often all that is needed to initiate an inter-library loan.

In recent years, ALLUNY has instituted a dual edu-

cational program. The annual meeting lasts for two days and often features speakers and panels on topics of interest to the law library community. The program for the Fall 1990 meeting includes speakers on Canadian legal research, securities law, disaster preparedness, surrogate court procedure and the New York legislative process. There are regional seminars offering the same one-day program in multiple locations.

Programs have been offered in Buffalo, Rochester, Syracuse and Albany featuring such topics as hypertext, time management, cataloging of law materials and methods of controlling acquisition costs. There are also regional chapter meetings where 5 or 6 chapters combine programs and annual meetings in one location. The first was in Albany in 1986. Another is planned for Philadelphia in November 1991. In addition there have been informal group meetings of area law school, law firm and court librarians in many cities. All of these meetings facilitate the exchange of information and materials and are important links in the informal network within the profession.

NETWORKING PROBLEMS

Networks can fail for a variety of reasons. One is that a few libraries may feel that they are carrying the burden of the network. It is interesting to see that the RLIN members are starting to discuss fees for net-borrowers to be paid to net-lenders. Others, like Columbia Law Library (see S. Pagel's article²⁶), have balked at the extra cost that the larger library bears once its records are in a national database. However, one consortium kept statistics that showed the pattern among members was remarkably even. Now just the suggestion of repeating the statistical study in that network is enough to quiet members. If all holdings for all libraries are in the network database, then libraries can spread their borrowing and not always burden the largest library in the area.

Other problems stem from a lack of standardized records. As Pat Molholt noted in her paper on library networking,²⁷ it is important that communication links be put into some standard format such as was done with the MARC record. Then systems can communicate across lines and a national network can be achieved. There are signs that OCLC and RLIN are cooperating in certain areas, so this goal may be achieved sooner than expected. The problem this then raises is the one that LEGEND addresses — sometimes the database or network gets too large and thus is no longer manageable. In one of the law networks, law libraries in a geographical region have started a mini-network to initiate better communication and cooperation in a small group. Another problem is that networks often function or fail because of the people involved or not involved. When a network is con-

structed from the top down, and the design doesn't involve the people who will have to make it work, it often does not function as well as one based on a particular need and with real commitment of the librarians who must run it. Finally, networks are hard to create when there is a lack of personnel, funds and backing from the primary institution. All are essential ingredients for getting a network up and running.

CHALLENGES FOR THE FUTURE

Many of the smaller New York court and law firm libraries have not been part of any network other than informal ones developed through interpersonal friendships with other law librarians. This situation probably will not change unless methods are found to overcome the lack of personnel and the absence of support funding and of components to foster cooperation, such as fax machines, computers, holdings in MARC format, etc. Other states, such as Montana, California and Pennsylvania, have created small networks. Some have been successful in getting state agency funds or new legislation to fund networks or have obtained grants for special equipment. New York needs to take the best features from these examples and create a network of its own.

Networking includes many programs and possibilities. We have looked at various legal-only aspects of networking: networks just for law libraries, law library participation in OCLC, RLIN and WLN, national and chapter support for networking, and the problems and challenges of law library networking. An update of this article in 1999 should record that New York law libraries have developed their own network, a prediction made possible by the rapid progress of law libraries in networking nationally.

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- 4 Duckett, Joan, "Consortia: An American Perspective," *Law Librarian*, v18, n2, August 1987. p. 52.
- 5 *Council of Law Library Consortia Newsletter*, December 1984. pp. 1-2.
- 6 *Council of Law Library Consortia Newsletter*, Fall 1988. pp. 2-4; and conversation with Eileen Searls, CLLC organizer and Law Librarian, St. Louis University Law Library, August 1990.
- 7 "Legal Information Network of New York," *Syllabus*, v.XVII, n3, September 1986. p. 5. The program was also written up in *Op. cit.*, Duckett, p. 35; *Op. cit.*, Goldblatt Sand Reams, p. 662; and Mersky, Roy M., and Saltalamachia, Joyce, "Fiscal Realities Force Law Libraries to Cooperate," *Legal Times*, v8, July 1, 1985, pp. S2, S5-9.
- 8 Andrus, Kay, "Plain Fax' of Law Library Cooperative Presented," *Syllabus*, v.XIV, n1, March 1988. p. 6.
- 9 Saltalamachia, Joyce, "Joint International Law Project," *Syllabus*, v.XVI, n2, June 1985. p. 3. Project was also described in articles in footnote 7.
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- 11 Conversation with SUNY/OCLC office August 1990 confirming "OCLC News" in SUNY/OCLC Newsletter, Summer 1990.
- 12 Internal OCLC study completed in 1987 based on ILL statistics July 1, 1986 to June 30, 1987 available from OCLC, 6565 Frantz Rd., Dublin, OH 43017.
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- 15 *Op. cit.*, Mersky and Saltalamachia. p. S8.
- 16 *Op. cit.*, Duckett. p. 53.
- 17 Daly, Gail M., *Strategic Plan for the Law Program Committee*, Research Libraries Group, Inc., January 1990. p. 1.
- 18 Flores, Arturo A., "A User Friendly Guide to RLIN for Friendly Users," *Legal Reference Services Quarterly*, v5, n4, Winter 1985/86. p. 43.
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- 20 Norten, Melanie Nietmann, and Hirst, Donna, "Computerized Cataloging in Law Libraries: OCLC and RLIN Compared," *Law Library Journal*, v73, Winter 1980. pp. 120-123.
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- 22 Hirst, Donna L., Thorpe, Suzanne, and Funabiki, Ruth Patterson, "A Comparison of OCLC, WLN, and RLIN for Public Services: A 1985 Update,"

Legal Reference Services Quarterly, v6, n3-4, Fall/Winter 1986. pp. 147-151. Article has an excellent "Selected Bibliography" on pp. 157-158.

²³Pagel, Scott B., "Legal Bibliographies and Shared Resources: The Evolution from Library Book Catalogs to Databases," *Legal Reference Services Quarterly*, v9, n1-2, 1989. p. 106.

²⁴*Draft Strategic Plan of the American Association of Law Libraries*, 1900 and available from the American Association of Law Libraries, 53 West Jackson Boulevard, Suite 940, Chicago, Ill. 60604.

²⁵Conversation with LLAGNY President, Martha Goldman, Librarian, Jones, Day, Reavis & Pogue, New York, NY, August 1990.

²⁶*Op. cit.*, Pagel, pp. 111-118.

²⁷Molholt, Pat, *Library Networking: The Interface of Ideas and Actions*, available from the Office of Library Programs, Office of Educational Research and Improvement, Washington, DC, June 1988.

KEYS TO LEGAL RESEARCH: OPENING THE DOORS TO THE LAW LIBRARY

By Nancy Lenahan, Government Documents Librarian, Albany [NY] Law School

The "ordinary citizen," or even a librarian who is not a specialist in legal research, setting out to find the law that applies in a particular instance may be surprised how complicated a search may be. The searcher often expects that the answer will be found in a few lines of text in a book of current laws. But the law of the United States is an intricate combination of common law, constitutions, statutes and administrative opinions and regulations that may be construed by the courts. Therefore legal research is usually a search through several bodies of literature, each with its own finding aids. This article explores the sources of Federal and New York State legal authority and describes standard sources for finding legal information. Primary materials and research tools available in other states are basically analogous to New York's. The resources cited are representative of the many excellent sources available in legal bibliography.

The law is that body of rules set forth by a government under which the actions of society are regulated. The "common law" tradition of the United States is based on the English system shared by those countries that were originally British colonies. Under this system, court decisions become precedents applied when questions of a similar nature are subsequently raised in the same jurisdiction. This application of precedent is known as the doctrine of *stare decisis* ("to stand by things that have been settled"). With the Industrial Revolution and extensive changes in society in the 19th century, governments recognized the need for legislation to articulate the law in specific areas. Thus a search for the law combines a search of case law and of legislation, including constitutions and statutes and administrative rules and regulations. Since the law is a dynamic body, the search for basic, stable concepts and reliable precedent is extremely important.

THE SEARCH FOR AUTHORITY

Judicial decisions and the constitutions, statutes and attendant administrative regulations form the primary authority upon which the whole body of the law of a specific jurisdiction is based. This primary authority may be mandatory or persuasive in nature. The constitution, statutes and case law of the highest court of a specific jurisdiction form its mandatory authority. In the absence of mandatory authority, the

court may consider persuasive authority in the form of the case law of another jurisdiction as the basis for its legal reasoning, but is not bound to do so. When the publication of cases or laws is authorized by the court or by the governmental entity, the resulting publication is known as the official text. Citing this official version is important because it is the language authorized by the originating body and is accepted by the courts as *prima facie* ("clear at the first appearance") evidence.

The following sources provide fundamental guidance for legal research and citation form:

- Bieber, Doris M., *Bieber's Dictionary of Legal Abbreviations*, 3d ed., Buffalo, NY, W.S. Hein Co., 1988. This volume contains 20,000 abbreviations commonly appearing in legal literature.
- Cohen, Morris L., *How to Find the Law*, 9th ed., St. Paul, MN, West Publishing Co., 1989.
- Cohen, Morris L., *Legal Research in a Nutshell*, 4th ed., St. Paul, MN, 1985.
- Gibson, Ellen M., *New York Legal Research Guide*, Buffalo, NY, W. S. Hein & Co., 1988.
- Jacobstein, J. Myron, and Mersky, Roy M., *Fundamentals of Legal Research*, 1987 ed., Mineola, NY, Foundation Press, 1987.
- Kunz, Christina L. et al., *The Process of Legal Research*, 2nd ed., Boston, Little, Brown and Co., 1989.
- A Uniform System of Citation*, 14th ed., Cambridge, Mass., Harvard Law Review Ass., 1986. This is the most widely accepted legal style manual, containing abbreviations to reporters, courts, statutes, and codes.

PRIMARY AUTHORITY

Primary authority sources include case law, constitutional law, statutes and codes, administrative law and treaties as shown in the table, "Sources That Open Doors" on pages 312-14.

Case Law. A researcher setting out to find case law that will serve as precedent may approach the task in a variety of ways. Not all decisions of the courts are published. Those that are published are arranged in chronological order and compiled in case

reporters. Reporters that are authorized by the courts themselves are called official reporters. Judicial decisions may also be available in unofficial, commercially published reporters such as West Publishing Company's *National Reporter System* and other privately published materials. Among these are loose-leaf services, which are valuable tools because they often contain the text of the court's opinions in full or in part, at the state and Federal levels, as well as the applicable statutes and administrative law for a particular subject area. The superior indexing in loose-leaf services makes them particularly useful sources.

Finding aids are essential because the search for precedent is so intricate and specific, and the number of reported decisions so large. Digests are extremely valuable as case finders. They provide brief abstracts of opinions handed down by the courts. The digests are compiled into sets for a particular jurisdiction or geographic area and then are arranged by legal issue and subtopic. Formats vary by publisher, but allow for a number of approaches to a subject. Each set of digests usually presents its classification scheme and provides access by case name, by descriptive word, by legal definition in a words and phrases index, or by legal concept.

It is essential that one determine the current validity of a case in order to determine its value as precedent. This is accomplished by using the appropriate *Shepard's Citations* volume. This is a system of titles that are companion volumes to the various case reporters and some administrative law titles. Cases decided at a later date that have cited the case being "Shepardized" will be listed. In this way the researcher may be able to find the history and treatment of a case, determine whether the cited case is still "good law" or has been overturned or remanded on appeal, and identify later cases on the same subject. *Shepard's* thus serves as both a case finder and a case evaluator. Sources useful in finding cases appear in the Digests section of the table on page 312.

Constitutional Law. The basic structure of the government in the United States and the separate states is set forth in their constitutions. Here is found the basis for the legal system, the relationship of the various branches of government and the state's role in relation to its citizenry.

The Constitution of the United States consists of the basic document drafted in 1787 and the 26 amendments that have been adopted. New York's first Constitution was adopted in 1777 and was replaced by later Constitutions in 1821, 1846 and 1894, with a major revision in 1938 and a number of amendments.

Research in constitutional law includes research into the text of the Constitutions, their amendments and proposed amendments, including the intent of

those who drafted the language and the cases involving constitutional interpretation.

Statutes/codes. The legislatures are empowered to pass statutes that serve to regulate personal conduct and procedure of government agencies. Under the Federal system in the United States there are two major, distinct, but overlapping layers of government, one at the national level, and another at the state level, each with its own laws and court systems. Both state and Federal courts must follow Federal law, even when they conflict with state laws. Further, cases may involve issues covered by both state and Federal law. Thus the question of law may be a question of state law, or of Federal law, or of both.

Laws are introduced first as bills or resolutions by members of the legislature and, when passed and signed by the executive, are known as statutes. On passage, they are identified by a chronological numbering system and then issued as session laws. At the end of the legislative session, session laws are compiled into volumes in chronological order, at which time an index is usually added. The session laws of the United States are assigned Public Law numbers, which consist of the number of the Congress followed by the law's chronological number, as in PL 99-241. Individual laws are called slip laws, and the official bound volumes of the session laws of the United States are called *United States Statutes at Large*. In New York State, new laws are called chapter laws and are identified by a chapter law number and the year of passage. The official version of the session laws for New York State is the annual *Laws of New York*.

In order to make the laws more accessible, the session laws have been consolidated into "codes." Codes are compilations of current, public laws having general application that are then arranged by subject. Each set usually has a detailed subject index and tables to aid the researcher.

Prior to 1926, the official laws of the United States were found in one volume entitled the *Revised Statutes of 1875*, which was supplemented with separate volumes of the *United States Statutes at Large*. In 1926, the current laws from the *Revised Statutes* were combined with all public and general laws from the *Statutes at Large* from the year 1873 onward and arranged in 50 subject titles to form a multi-volume set called the *United States Code*. Cumulated supplements were published annually and consolidated with a new edition in 1932. This six-year schedule for publication has continued, with the last basic volumes having been published in 1988.

The New York State code has a somewhat different history, and, while there is no version published directly by the State, both *New York Consolidated Law Service* and *McKinney's Consolidated Laws of New York Annotated* may be cited as the official lan-

guage of the law. The *Consolidated Laws of New York* was last officially enacted in entirety in 1909/1910. All current, general law was included in that codification, arranged by subject area. Since that time, as laws have been passed by the legislature, the text of the session law has contained that section and subsection that will be affected by the passage of the session law. This is a form of continuous revision of the codification and allows for constant updating. Today the general laws of New York are consolidated into 89 subject areas. There are, however, laws passed that are not of general nature that are not included in the consolidated laws. Both *McKinney's* and *CLS* include a number of these unconsolidated laws in separate volumes.

Administrative Law. At both the Federal and the State level, governmental agencies are given specific mandates by the legislatures and are governed by the administrative procedure acts. To carry out their responsibilities, the agencies promulgate rules and regulations that are the basis of administrative law. When cases or questions arise under these regulations, each agency is empowered to issue decisions such as the *Decisions and Orders of the NLRB* or the *Education Department Reports*, which also should be consulted. Loose-leaf services are useful tools for finding administrative law because these services often print both the regulations and the opinions of the agencies in well-indexed, current materials. For other sources of administrative decisions, either consult a guide to legal research or contact the agency.

Treaties. Treaties work on an international level much the way constitutions and statutes work at the national level. According to the U.S. Constitution, treaties are ratified by the President with the advice and consent of the U.S. Senate. Prior to 1950, the text of these treaties was published in the *Statutes at Large* and since then in *U.S. Treaties and other International Acts*. Some sources and aids in finding the texts of treaties follow:

Treaties and Other International Agreements of the United States, 1776-1949, C.E. Bevans, ed., Washington, D.C., Department of State, 1968-1976. This compilation contains the full text of treaties, 1776-1949.

Treaties and Other International Acts Series, Washington, D.C., Department of State, 1946-. This series consists of separate treaties, published as individual pamphlets, numbered consecutively, containing the text of the treaty in the languages of all of the parties agreeing to it.

U.S. Treaties and other International Agreements (U.S.T.), Washington, D.C., Dept. of State, 1950-. This set contains a chronological arrangement of treaties and has a separate multivolume index.

Treaties in Force, Washington, D.C., Dept. of State. This annual publication lists treaties and international agreements currently in force at the beginning of the calendar year.

Rohn, Peter H., *World Treaty Index*, 2nd ed., Santa Barbara, Cal., ABC-Clio Information Services, 1983-. This set is published in five volumes and has a thesaurus and indexes by party and by keyword.

SECONDARY AUTHORITY

Many legal publications are viewed as secondary authority. This material, since it has no precedential authority, is not binding on the courts, but may be of great value in searching for the meaning of the law. These sources can range from major works of great scholars to works of a more transient nature. Secondary sources include such works as legal treatises, encyclopedias, dictionaries and periodicals. These are often a good starting point in the research process, providing a general presentation of a particular area of the law. Many of these sources, which may be either descriptive or critical, provide general access to the law and its terminology, with references to specific cases, statutes and constitutional provisions. The most general of the secondary sources are the legal encyclopedias. Examples are as follows:

Corpus Juris Secundum, St. Paul, West Publishing Co., 1936-, and

American Jurisprudence 2d, Rochester, NY, Lawyers Co-operative Publishing Co., 1962-. These multivolume encyclopedias of American law, arranged in alphabetical subject order, are kept up to date by pocket parts and supplements, and have separate subject index volumes. Both cite reported cases, although *Corpus Juris Secundum* claims to be more comprehensive. *American Jurisprudence 2d* cites *A.L.R.* (American Law Reports) annotations.

New York Jurisprudence 2d, Rochester, NY, Lawyers Co-operative Publishing Co., 1979-. This is an encyclopedia of New York State civil and criminal law and procedure, statutes, and administrative law. It provides references to cases, laws and other Lawyers Co-operative publications. This new edition is being published alphabetically by topic. When complete, it will supersede its earlier edition, *New York Jurisprudence*.

In addition, the researcher may wish to consult current legal periodicals. Law reviews are usually published by law schools and may be either general in coverage, such as the *Harvard Law Review* or lim-

Continued on p. 315



SOURCES THAT OPEN DOORS

CASE LAW DIGESTS

-UNITED STATES SUPREME COURT

United States Supreme Court Digest, St. Paul, MN, West Publishing Co., 1943-

Digest of United States Supreme Court Reports-Lawyers' Edition, Rochester, NY, Lawyers Co-operative Publishing Co., 1948-

-LOWER FEDERAL COURTS

Modern Federal Practice Digest, St. Paul, MN, West Publishing Co., 1940-

West's Federal Practice Digest, 2nd, 3rd, 4th eds., St. Paul, MN, West Publishing Co., 1948-

-NEW YORK STATE

Abbott New York Digest, Consolidated Ed., West Publishing Co., Baker, Voorhis & Co., and Lawyers Co-operative Publishing Co., 1929-1970.

Abbott New York Digest 2d, St. Paul, MN, West Publishing Co. and Lawyers' Cooperative Publishing Co., 1971-1978.

New York Digest 3rd and 4th, St. Paul, MN, West Publishing Co., 1979-1988, 1989-

--FINDING AIDS

Shepard's Citations for specific reporter.

Annotations in secondary sources and annotated codes.

CONSTITUTIONAL LAW

-UNITED STATES

United States Code, v.1, Washington D.C., U.S. Government Printing Office, 1988. This is the official text of the Constitution, published every six years.

The Constitution of the United States of America; Analysis and Interpretation, Washington, D.C. Library of Congress, 1987. This is a one-volume edition including the text of the Constitution, its historical background, commentary, legal analysis and discussions of selected Constitutional decisions of the Supreme Court and footnotes to other decisions and scholarly works. It is periodically updated by pocket part.

United States Code Annotated, St. Paul, MN, West Publishing Co., 1987 and

United States Code Service, Rochester, NY, Lawyers Co-operative Publishing Co, 1986. Both sets are commercially published, contain text of Constitution and annotations to cases and scholarly

-NEW YORK STATE

Constitution of the State of New York
This is a pamphlet published annually by the Secretary of State.

Manual For the Use of the Legislature of the State of New York, Albany, Department of State. This "bluebook" is a handbook published every two years.

New York Consolidated Laws Service, v.42, Rochester, NY, Lawyers' Co-operative Publishing Co. and

McKinney's Consolidated Laws of New York Annotated, v.2, St. Paul, MN, West Publishing Co. While not a part of the code, annotated and unannotated versions of the State Constitution are included in these sets. McKinney's has both.

--FINDING AIDS

Shepard's New York Statute Citations

--HISTORY

New York State Constitution Anno-

SOURCES THAT OPEN DOORS

works, with cross references to *CFR* and other publications of the same publisher.

--FINDING AIDS

Shepard's United States Citations,
(Statute Edition volume)

tated, and Amendments Proposed to New York Constitution: 1895-1937, volumes I and II of the report of the Constitutional Convention Committee for the 1938 Constitutional Convention. These volumes contain the texts of the constitutions of 1777, 1821, 1846 and 1894 and references to the history of each and subsequent amendments.

STATUTES

-UNITED STATES

United States Statutes at Large, Washington, D.C., U.S. Government Printing Office (published at end of each session of Congress). These are the official session laws of the United States.

U.S. Code Congressional and Administrative News Service, St. Paul, MN, West Publishing Co., 1941-. This is an annual publication with monthly pamphlet updates. It includes the text of all public laws and selected legislative history sources and is indexed by subject.

-NEW YORK STATE

Laws of New York, Albany, New York Legislative Bill Drafting Commission. This contains the official session laws of New York State and is published annually.

McKinney's Session Laws of New York, St. Paul, MN, West Publishing Co. and

New York Consolidated Laws Service Session Laws, Rochester, NY, Lawyers Co-operative Publishing Co. These two sets include indexes, the Governor's message to the Legislature, selected memoranda, and selected reports, and are published annually.

CODES

-UNITED STATES

United States Code, Washington, D.C., U.S. Government Printing Office, 1988. This contains the official text of the U.S. Code, and is published every six years, with annual bound supplements, indexes and tables. It includes a popular names table and cross reference tables from statute to code.

United States Code Annotated, St. Paul, MN, West Publishing Co. and

United States Code Service, Lawyers' Edition, Rochester, NY, Lawyers Co-operative Publishing Co. These commercially published sets contain digests of decisions, indexes,

-NEW YORK STATE

McKinney's Consolidated Laws of New York Annotated, St. Paul, MN, West Publishing Co. and

New York Consolidated Laws Service, Rochester, NY, Lawyers Co-operative Publishing Co. Both contain annotations to Federal and State cases, historical information on derivation of sections, and cross references to *New York Official Compilation of Codes, Rules, and Regulations (NYCRR)*.

SOURCES THAT OPEN DOORS

and references to related publications of same publisher. They are kept up to date by annual pocket parts, monthly supplements, pamphlets and replacement volumes as necessary, and include popular names tables and references to the *CFR*.

ADMINISTRATIVE RULES AND REGULATIONS

-UNITED STATES

Code of Federal Regulations, Washington, D.C., U.S. Office of the Federal Register. (CFR) This is the official codification of regulations in fifty titles, published in pamphlet form annually. It contains subject index and tables.

Federal Register, Washington, D.C., Office of the Federal Register. This is published on weekdays and contains proposed rules or regulations in whole or in part with notices of hearings and comment periods. It contains published notices of adoption and monthly updating for *CFR*.

-NEW YORK STATE

Official Compilation of Codes, Rules and Regulations, Albany, NY, Lenz & Reicker, Inc. (NYCRR). This is issued by the Department of State and contains administrative regulations published in 22 titles. It is updated by looseleaf pages and is indexed.

State Register, Albany, NY, Department of State, 1979-. This weekly publication includes proposed rules or regulations in whole (if fewer than 2,000 words) or in summary, with notice of comment period and notices of adoption, as well as the Governor's Executive Orders. It updates the NYCRR.

--FINDING AIDS

Shepard's New York Statutes
Cross-references from codifications and secondary sources

ited to a specific subject area, such as the *Texas International Law Journal*. Other legal periodicals include bar association journals, commercially published journals and legal newspapers, such as the *New York Law Journal*. Access to periodical literature is provided through a variety of indexes, such as the following:

Index to Legal Periodicals, New York, Wilson Publishing Co., 1908-, and *Current Law Index*, Los Altos, CA, Information Access Co., 1980-. These are indexes to current periodical literature in the field of law. Both provide indexes by subject and author and provide tables of cases and statutes. The Information Access indexes provide broader coverage of titles. Materials from *Current Law Index* are also published in different formats with slight variations, as the microform *Legal Resource Index* and the CD-ROM index *Legal-Trac*. The latter contains indexing of some legal newspaper titles not included in *Current Law Index*, such as the *New York Law Journal*.

New York Law Journal Digest-Annotator New York, Law Journal Seminars-Press, 1982-. This publication indexes articles in the *New York Law Journal*, and digests cases from First and Second Judicial Departments and selected Second Circuit opinions. It is published as monthly pamphlets, which are cumulated annually. The title continues *Clark's Digest-Annotator*, Boonton, NJ, Kimball Clark Publishing Co., 1938-1982.

Legal treatises summarize and restate the law in specific areas and are useful for both the researcher and the law student seeking citations to cases and statutes or synthesis of the law. While treatises are secondary authority, some are written by renowned scholars and may receive judicial note, for example, *Wigmore on Evidence* or *Prosser on Torts*. For help in finding treatises, loose-leaf services and subject oriented materials, consult the library catalog.

CONCLUSION

This article has skimmed the surface of the materials available for the legal researcher, but it suggests the framework that forms the basis of detailed research. The materials suggested here are available in paper copy at most law libraries. In many cases they are also produced in an alternative electronic format. Various computerized databases are becoming more and more important. These allow full text searching of cases, codes and administrative law as well as some of the major commercial services. For coverage of this area, consult the article by Joan Taulbee White elsewhere in this issue of *The Bookmark*. Finally, it should be noted that the legal reference librarian, who cannot practice law and so cannot interpret materials or advise on legal matters, can nevertheless suggest search strategies, find specific titles and aid in using the legal resources in the library's collection.

INQUIRING MINDS WANT TO KNOW — INFORMATION SERVICES OF THE NEW YORK STATE DEPARTMENT OF LAW

*By Joan Libby, Director of Public Information, and
Judith Brown, Chief of Library Services, New York State Department of Law*

The phone rings. "Good morning, New York State Department of Law, Office of Public Information, can I help you?" "Well, I just bought this used car and it stopped dead on the way home from the lot, but the salesman says now it's my problem...."

The caller might just as likely have described a problem with a home repair contractor, a landlord, a solicitor for what turned out to be a phony charity, a time-share salesperson, or any number of other difficulties encountered on a daily basis by consumers throughout New York State.

The caller could also have asked for information about women's rights or workers' compensation, asbestos, water filters, pesticides or radon, or requested publications about financial planners, franchises, how to shop for a bank, housing information for senior citizens, or the rights of mobile home tenants.

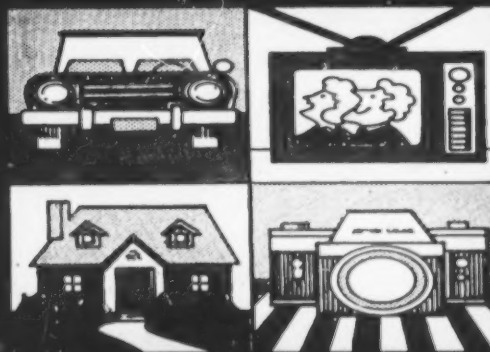
The responsibilities of the New York State Department of Law, headed by the Attorney General, are widespread and diverse. The Department has 14 offices throughout the State and is staffed by over 1,400 employees, including more than 500 attorneys working to protect the public interest and defend New York State law. The Department is organized into three major divisions: the Division of State Counsel, which represents the State and its agencies in legal actions; the Division of Public Advocacy, which represents the interests of the public in such areas as civil rights, environmental protection, antitrust, and consumer frauds; and the Division of Appeals and Opinions, which handles appellate litigation in both State and Federal courts and provides opinions on State law to local governments.

INQUIRING MINDS WANT TO KNOW

To provide information to the public the Law Department has a Press Office, which deals with the media, written and electronic, and an Office of Public Information, which produces and distributes booklets, videotapes, public service announcements for radio and television and the Department's annual report. While many of the issues the Department litigates may not have a general public interest component, there are many others where informing the public may even be part of the Department's settlement of a legal question. A few years ago, the Office of Public Information devised a media plan to inform a certain

class of disabled individuals who had been wrongly denied Federal benefits that, because of a settlement reached by the Attorney General's office with the Federal government, they were again entitled to benefits and needed to contact their local social services offices or call a special 800 number for information on how to file forms. In another instance, the Antitrust Bureau of the Attorney General's office settled a case which enabled tens of thousands of consumers alleged by the Bureau to have been overcharged as much as \$45 for certain Panasonic products to receive refunds. The company would notify those consumers who actually filled out their warranty cards on the items, but what about the thousands of others who never returned

GUIA PARA LOS CONSUMIDORES DE NUEVA YORK

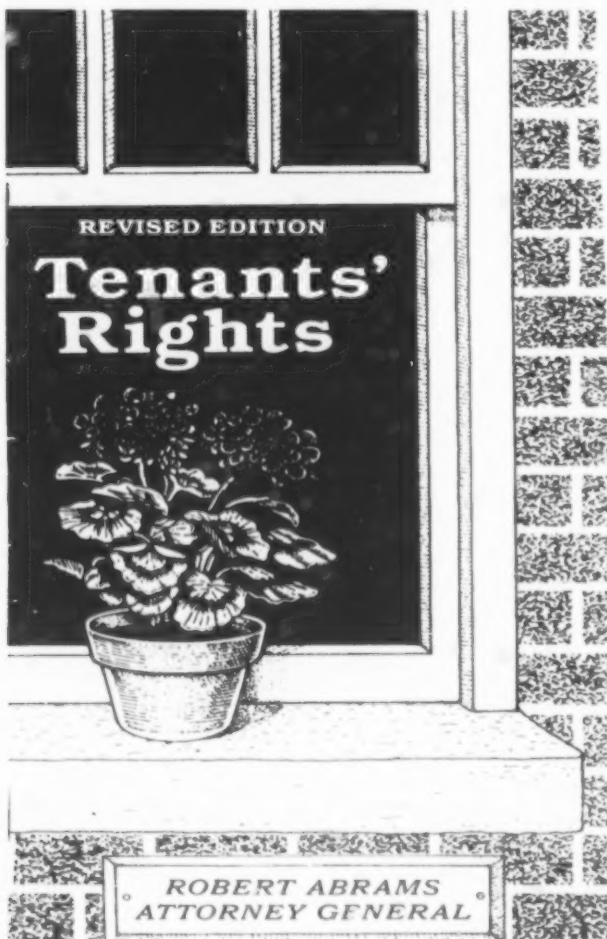


**Departamento Legal del
Estado de Nueva York**

Robert Abrams
Procurador General
Estado de Nueva York

warranty cards? Again, the Office of Public Information created and distributed statewide a videotaped public service announcement, press releases and live copy for radio stations concerning the entitlement.

Without doubt, the most significant consumer advance of the last decade is the Lemon Law for new cars, and the Attorney General's Lemon Law Arbitration Program is the most successful in the country. This year, the Arbitration Program for new cars won refunds or replacement vehicles worth \$17.8 million to car owners. In the three years of the program's operation, awards and settlements worth more than \$50 million have gone to 3,679 car buyers. The Law Department's Office of Public Information together with the Consumer Frauds and Protection Bureau produced a detailed handbook explaining in question and answer format what the law covers and how a consumer can utilize the arbitration program. The handbook reproduces the actual law and the regulations concerning the arbitration program's operation. Such books are integral to the functioning of the law and the arbitration program for the consumer.



Each year, tens of thousands of New Yorkers throughout the State are affected when the building in which they live is converted from a rental to a cooperative or condominium. The conversion process, which the Attorney General's office regulates, is complicated and complex. How can a nonlawyer hope to grasp the meaning of the legal terms or actually be able to read through a prospectus consisting of hundreds upon hundreds of pages of documents, charts and figures? Since every offering plan must be submitted to the Attorney General's Real Estate Financing Bureau to assure that all the legal requirements set by law are met, that Bureau and the Public Information Office produced a concise handbook that distilled the co-op laws' provisions and clearly explained the terms and deadlines a tenant or buyer needs to know. Further, taking advantage of the near-ubiquitous presence of the VCR, this year the office made available to the public a 30-minute video that graphically depicts the co-op process and describes the applicable regulations.

RESEARCHING THE ISSUE

While the Public Information Office produces material of interest to the general public, the Law Department's Library serves the information-hungry legal and scientific staff. With a collection of more than 100,000 volumes and a staff of 13, the Law Department maintains collections of Federal and New York State legal materials in libraries in Albany and New York City. The Attorney General's 12 regional offices each house core collections supplemented with Westlaw online information, and specialized volumes or treatises are supplied to these offices from the Albany or New York City facilities. All ordering and payment, cataloging on OCLC, checking in of materials and interlibrary loans is done by the Albany library staff.

What would a lawyer's life be without access to codes, court reports and regulatory materials? The Law Department's legal researchers have access to these materials and to the Department's legal briefs dating back to the 1850s, Attorney General's Opinions, and other New York State legal information, including proceedings and reports of State constitutional conventions. Why else would the motivated individuals who staff the Attorney General's office be found at work in one or another of the libraries until all hours of the night?

Reference librarians assist the Departments' attorneys, scientists and paralegals. They search Westlaw and BRS online databases, research legislative intent, and procure articles and books through interlibrary loan. Keeping up with the Department's appetite for research materials is no easy matter. Last year alone, the Attorney General's Environmental

Protection Bureau requested more than 600 scientific articles and treatises to assist them in the preparation of their multifaceted legal work to protect the environment and the natural resources of New York State.

The extensive collections maintained by the New York State Library and the Health Department Library are heavily relied upon to supplement the Law Department's offerings. Attorneys in New York City also benefit from membership in the New York Law Institute, which gives them access to an additional 300,000 volumes.

As the work of the Department's library and Public Information Office demonstrate, the demand for information, whether the specialized volumes, reports and treatises which are the meat and potatoes reading for the legal staff, or the handbooks and pamphlets on

matters of importance to the public, continues to increase. Legal issues about which people need information in order to make well-founded decisions multiply. The information can provide the right ammunition to fight an auto manufacturer, to wrest from a defunct health club the refund it refused to give back, to protect a prospective franchisee and to help New Yorkers about to make the biggest financial commitment of their lives — buying a co-op or condominium.

FOR FURTHER INFORMATION

For a free publications list describing materials available to the public from the Attorney General's office write: Office of Public Information, New York State Department of Law, 120 Broadway, New York, NY 10271.



PRACTICING ATTORNEYS USE MORE THAN LAW LIBRARIES

By Maureen Gross, Gross and Scagnali, Albany, NY

Legal rules and principles arise out of the everyday interactions between people. Embroiled in the myriad daily activities gone wrong, clients seek out attorneys to protect or address their legal interests. A client may relate a set of circumstances unlike any yet reported in the case law. The attorney applies legal principles to the facts of the case, pursuing two avenues. Initially, common law and statutory law provide a framework into which one's set of facts must be placed. The practitioner searches back, sometimes decades, attempting to find cases factually similar to the one at hand. Procedurally, form books are consulted to comply with court requirements. Such is the common path of legal research, and an extensive legal collection is essential to a comprehensive search.

But there is another avenue of research down which a practitioner often journeys, leading beyond traditional legal documents to the records of those involved in other disciplines. Those documents and studies may help attorneys establish their case.

In addition to its fine law libraries, New York State has a network of other libraries with diverse and extensive collections, providing the resources for effective legal representation and advocacy. Examples of the ways in which attorneys have used New York libraries follow:

- A multi-million dollar judgment was recently rendered in a medical malpractice action in which, while preparing his case, the attorney spent hours in the Albany Medical Center's Schaffer Library of Health Science researching medical literature for life expectancies. That same attorney became an expert of sorts on the particular illness in issue, after having read scores of medical articles on the subject.
- An attorney representing a client involved in an auto accident, attempting to determine the weather conditions on a particular date, found local them in climatological reports at the New York State Library.
- A practitioner representing an individual in a Lemon Law arbitration studied car repair manuals at the State Library in order to rebut testimony of a manufacturer's mechanic.
- In preparing for a trial in which her client was ticketed for speeding, an attorney versed herself in the radar technology by using the State Library's technical literature.
- Of concern to an attorney involved in the death penalty debate was the execution of innocent individuals. He used material in the collections of the New York State Archives and Records Administration to compile information on individuals who may have been wrongfully executed.
- A criminal defense attorney drew on genetic data to ascertain the reliability of DNA testing and consulted the Bethlehem public library's college catalogs to identify potential DNA experts.
- Finally, an attorney extolled the value of the government publications collections at the State Library because they include the *Opinions of the New York State Comptroller*, from which he obtained important data for damages assessment, and the *Advisory Opinions* of the Committee On Open Government for insight into requests under the Freedom of Information Law. To the same attorney, graduate dissertations obtained through interlibrary loan provided another source of information for his research.

Members of the legal profession find two useful sources of help in identifying the location of the information they need: their law librarian (who may not have the material in the law library but takes care to be informed on resources in other libraries), and New York State's excellent library systems. Most public, academic, health science and special libraries are members of the State's 23 public library systems or the 9 reference and research library resources systems. (Many law libraries are members of the reference and research library resources systems.) Staffs of the system member libraries use computers and databases to locate materials in libraries throughout the State, the nation, and other countries. They participate in the New York State Interlibrary Loan (NYSILL) network and have access to powerful computer-based information systems at the New York State Library. For example, electronic search files of the Library of Congress are available, including one covering Federal legislation since 1973. (The State Library was one of 14 libraries in the United States selected by the Library of Congress last year to test the feasibility of public access to that Library's databases.) These resources help attorneys and others

find esoteric information once thought to be unavailable.

Whether an attorney starts a search by consulting the law librarian, or works independently in a public or academic library, the possibilities for finding needed information are never limited by the fact that a library owns a finite number of books, journals and

reports. Libraries of all sizes use their networks daily to get what is needed, often from a source close at hand. Attorneys in New York are a fortunate group, because within the vast collections of New York's libraries, are resources that may well make a difference even in the most difficult of cases.

COMING IN *The Bookmark*

The next issue of *The Bookmark*, edited by Elizabeth Manion, will focus on "Imagination and the Magic of Libraries."

RECENT ISSUES

Spring 1990	Conference Briefs	Fall 1988	Serving Business in an Information Economy
Winter 1990	New York Library Association Centennial	Summer 1988	Outreach Services
Fall 1989	Library and Information Science Education for an Information Society	Spring 1988	Youth Services
Summer 1989	Perspectives 1989	Winter 1988	Libraries and Technology
Spring 1989	Uncovering Information: Subject Access to Information	Fall 1987	Bibliographic Instruction
Winter 1989	Libraries in the Tradition of Freedom of Expression	Summer 1987	The Public Library Trustee and Changing Community Needs
		Spring 1987	Conservation/Preservation



DIRECTORY OF LAW LIBRARIES IN NEW YORK STATE, WITH PUBLIC ACCESS POLICIES AND SUBJECT SPECIALTIES

A Joint Project of the
Public Access Committees of the
Association of Law Libraries of Upstate New York
and Law Library Association of Greater New York
Chapters of the American Association of Law Libraries
Published as a supplement to
The Bookmark, Summer 1990

PREFACE

The idea for a law library public access directory came from a proposal advanced in 1988 to the Association of Law Libraries of Upstate New York (ALLUNY) by Victoria Dworkin. It grew into a collaborative effort between ALLUNY and the Law Library Association of Greater New York (LLAGNY), and was in the planning stages for some time as we sought appropriate support for its production.

The Public Access Committees of ALLUNY and LLAGNY thank Joseph F. Shubert, State Librarian and Assistant Commissioner for Libraries, for making possible the publication and distribution of the *Directory of Law Libraries in New York State, With Public Access Policies and Subject Specialties*. For organizing the survey effort in the metropolitan area, thanks are due to Geoffrey C. Trigger, Chair of LLAGNY's Public Access Committee. Thanks for taking time to conduct the surveys go to Joan Amenn, Alfred Baman, Jean Botta, Linda Braun, Elizabeth DiMichelle, Mary Beth Dunn, Christine Fisher, Ellen Gibson, Armando Gonzalez, Antonietta Primiano, Gregory Tague, Louis Tripodi, Ruth Ulferts, and Marcia Zubrow. Thanks go also to Christine Bain of the State Library for her help with the survey form and preparation of the text of the *Directory*.

Karlye A. Pillai, Chairperson
ALLUNY Public Access Committee

The State Library has published library directories for some years but not a directory of New York's law libraries. *The Bookmark's* editors wished to include such a directory in the Summer 1990 issue on "Law Library Service in the 1990s." A directory of law

libraries serving the public directly or indirectly seemed particularly appropriate in these times when resource sharing is so necessary. Issue Editor Christine Bain worked with Karlye Pillai in completing a survey form planned by the Association of Law Libraries of Upstate New York (ALLUNY) and the Law Library Association of Greater New York (LLAGNY). Ms. Pillai arranged to have ALLUNY and LLAGNY members gather responses by phone, and Ms. Bain worked with Ms. Pillai in processing the results to create this *Directory of Law Libraries in New York State, With Public Access Policies and Subject Specialties*.

The *Directory* enhances access to legal information in many ways. An example is the inclusion of the New York State Department of Correctional Services facility libraries. The public now has access to information in any of these libraries. The State Library is pleased to have had a role in producing the *Directory*. Thanks go to the ALLUNY and LLAGNY Public Access Committee members who persisted in bringing this worthwhile project to fruition.

Joseph F. Shubert
State Librarian and
Assistant Commissioner for Libraries

INTRODUCTION

Resolution A-12 of the first White House Conference on Libraries and Information Services recognized the need to provide equal access to basic legal information for all people. In response, the American Association of Law Libraries Special Interest Section on Legal Information to the Public encouraged American Association of Law Libraries Chapters to form



The University of the State of New York
The State Education Department
The New York State Library
Cultural Education Center
Albany, New York 12230



Public Access Committees charged with developing the means to realize this goal. To facilitate meeting the challenge in New York State, members of the Public Access Committees of ALLUNY and LLAGNY developed this *Directory*. It is intended to serve as a convenient tool for nonlaw librarians faced with legal reference questions from the public.

Why produce another directory for libraries? Existing library directories, including those specific to law libraries, do not identify services the public can expect, levels of assistance to nonlaw libraries, or law library staff willingness to serve as speakers to nonlaw library groups. Although some law libraries belong to organizations that provide networking with nonlaw libraries, in many law libraries the staff has little or no contact with the nonlegal community. Absent a vehicle for networking, public access policies are unknown to nonlaw library staff and to the public at large.

The intended scope of the *Directory* was coverage of all law libraries in New York State; however, because of the limitations of a phone survey and the schedule for this issue of *The Bookmark*, not all institutions were reached. The survey included institutions represented in the membership directories of ALLUNY and LLAGNY and law libraries operated by State and Federal agencies. In the metropolitan area, some law

libraries in contiguous states were included in the survey, but because they were so few, they have been excluded from the *Directory*. Excluded also were vendors of library or information industry goods and services, nonlaw libraries with law collections, and law libraries without regular staffing.

The *Directory* entries are arranged geographically and are followed by a special subjects index. To conserve space the survey results concerning access and services are in code, and tables of abbreviations and symbols used are provided below. Except for information about subject specialties, *Directory* entries follow the sequence of the survey questions (reproduced below). The first question, whether the library is open to the public, is answered by a graphic symbol — a white dot for open and a black dot for closed to the public. Libraries closed to the public are included in the directory if they serve the public by providing reference or interlibrary loan service by telephone, mail or fax. Graphic symbols mark the start of each of the other question responses. In the case of the multipart question about reference services, to make the coded response easier to understand, additional graphic symbols have been used to indicate the methods of communication: onsite, telephone, mail or fax.

SYMBOLS

○	LIBRARY IS OPEN TO THE PUBLIC
●	LIBRARY IS CLOSED TO THE PUBLIC
↗	PUBLIC INSTRUCTION IS AVAILABLE
⊙	REFERENCE SERVICE IS AVAILABLE
✦	ONSITE
☎	BY TELEPHONE
✉	BY MAIL
✉	BY FAX
⇒	PHOTOCOPYING IS AVAILABLE
⊙	SOME MATERIALS CIRCULATE
➔	INTERLIBRARY LOAN SERVICE IS AVAILABLE
▢	COLLECTION SCOPE AND STRENGTH
🔍	ONLINE SEARCHING IS AVAILABLE
👤	TOURS ARE AVAILABLE
🗣️	SPEAKERS ARE AVAILABLE

ABBREVIATIONS

B	BRIEF (READY-REFERENCE) QUESTIONS ONLY
BO	BOOKS
C	COPYING IS AVAILABLE
CH	A CHARGE ASSESSED FOR THIS SERVICE
E	EXCELLENT (LEVEL OF SPECIFIC COLLECTION)

F	FAIR (LEVEL OF SPECIFIC COLLECTION)
FD	FEDERAL LAW COLLECTION
FR	FOREIGN LAW COLLECTION
FT	FAX TRANSMISSION OF MATERIALS IS OFFERED
H	HOURS (RESTRICTIONS)
G	GOOD (LEVEL OF SPECIFIC COLLECTION)
I	INTERNATIONAL LAW COLLECTION
J	JOURNALS
L	LIBRARIES MAY REQUEST THIS SERVICE
LG	LIBRARY GROUPS MAY REQUEST THIS SERVICE
LO	LOCAL LAW COLLECTION
M	MATERIALS (RESTRICTIONS)
NY	NEW YORK LAW COLLECTION
O	OTHER MATERIALS (NOT BOOKS OR JOURNALS)
OS	OTHER STATES LAW COLLECTION
P	THE PUBLIC MAY REQUEST THIS SERVICE
R	RESTRICTIONS APPLY
S	STRONG (LEVEL OF SPECIFIC COLLECTION)
U	USER TYPE (RESTRICTIONS)
W	WEAK (LEVEL OF SPECIFIC COLLECTION)

QUESTIONS ASKED ON THE SURVEY FORM

- | | | |
|--|--|--|
| <p>1. a. Is the library open to the public? Y</p> <p>b. If so, restrictions? User type Y N Hours Y N Materials Y</p> <p>c. Is public instruction provided? Y</p> | <p>N</p> <p>N</p> <p>N</p> | |
| | | <p>REFERENCE? BRIEF ONLY? CHARGE?</p> |
| <p>2. Will you answer reference questions or perform research for:</p> <p>a. public on site</p> <p>b. public by telephone</p> <p>c. public by mail</p> <p>d. public by fax</p> <p>e. libraries by telephone</p> <p>f. libraries by mail</p> <p>g. libraries by fax</p> | <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> | <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> |
| <p>3. a. Is photocopy equipment available to the public?</p> <p>b. If so, is there a charge?</p> | <p>Y N</p> <p>Y N</p> | |
| <p>4. Do any materials circulate to the public?</p> <p>a. Books?</p> <p>b. Journals?</p> <p>c. Other materials?</p> | <p>Y N</p> <p>Y N</p> <p>Y N</p> | <p>Restrictions?</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> |
| | | <p>Charge?</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> |
| <p>5. What interlibrary loan services are provided? Restrictions? Charge?</p> <p>a. Loan of books?</p> <p>b. Loan of journals?</p> <p>c. Loan of other materials?</p> <p>d. Photocopying?</p> <p>e. Fax transmission?</p> | <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> | <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> <p>Y N</p> |
| <p>6. What is the collection scope and strength?</p> <p>a. Local</p> <p>b. New York</p> <p>c. Other states</p> <p>d. Federal</p> <p>e. Foreign</p> <p>f. International</p> <p>g. Subject specialties (limit 4)</p> | <p>Weak</p> <p>W</p> <p>W</p> <p>W</p> <p>W</p> <p>W</p> <p>W</p> | <p>Fair</p> <p>F</p> <p>F</p> <p>F</p> <p>F</p> <p>F</p> <p>F</p> |
| | | <p>Good</p> <p>G</p> <p>G</p> <p>G</p> <p>G</p> <p>G</p> <p>G</p> |
| | | <p>Strong</p> <p>S</p> <p>S</p> <p>S</p> <p>S</p> <p>S</p> <p>S</p> |
| | | <p>Excellent</p> <p>E</p> <p>E</p> <p>E</p> <p>E</p> <p>E</p> <p>E</p> |
| <p>7. Will you provide online searches for the public?</p> | <p>Y N</p> | <p>Charge?</p> |
| <p>8. Will you give tours to: a. Public?</p> | <p>Y N</p> | <p>b. Library groups?</p> |
| <p>9. Will you provide speakers for: a. Public?</p> | <p>Y N</p> | <p>b. Library groups?</p> |
| | | <p>Y N</p> |

DIRECTORY

ALBANY

1. McNamee, Lochner, Titus & Williams, P.C.

75 State Street, P.O. Box 459
Albany, NY 12201-0459
(518) 434-3136, Fax 434-3136; M-F 9-5
●; ○ L ■ ■ X; → C-R; □ LO-W NY-E OS-W FD-E FR-W IN-W; ■ P L

2. New York State Court of Appeals

20 Eagle Street
Albany, NY 12207
(518) 455-7000, Fax 463-8782
●; ○ P ■ ■ B ■ ■ B, ○ L ■ ■ X; □ LO-W NY-E OS-G FD-G FR-W IN-W; ■■ L; ■ L

3. New York State Department of Correctional Services

Office of Counsel's Law Library
State Campus, Building 2, Room 304
Albany, NY 12226
(518) 457-4951, Fax 457-7X; M-F 9-5
●; ○ P ■ ■ B, ○ L ■ ■ X; → C-R FT-R; □ LO-W NY-G OS-W FD-G FR-W IN-W; ■■ L; ■ L

4. New York State Department of Correctional Services (DOCS)

Inmate Law Libraries
See *Directory* entries for locations.
For service from these collections contact:
DOCS Law Library Coordinator
DOCS, State Campus, Building 2, Room 304
Albany, NY 12226

(518) 457-4951, Fax 457-7X; M-F 9-5
●; ○ L ■ ■ X; → C-R; □ LO-W NY-G OS-W FD-G FR-W IN-W; ■■ L

5. New York State Department of Economic Development

One Commerce Plaza
Albany, NY 12245
(518) 474-5664, Fax 474-1512; M-F 8:30-5
○ R H; ■■; ○ P ■ ■ X, ○ L ■ ■ X; ■■; → BO-R C FT-R; □ LO-W NY-F OS-W FD-F FR-W IN-W; ■■ L; ■ P L

6. New York State Department of Law Library

Capitol
Albany, NY 12224
(518) 474-3840
●; □ LO-W NY-S OS-W FD-G FR-W IN-W; ■■ L; ■ L

7. New York State Department of Tax and Finance Law Library

State Campus, Building 4, Room 108A
Albany, NY 12054
(518) 457-5332, Fax 485-7196; M-F 9-5
●; ○ L ■ ■ X; □ LO-S NY-S OS-W FD-S FR-F IN-F

8. New York State Governor's Counsel's Law Library

Executive Chamber
Capitol
Albany, NY 12224
(518) 474-2266; M-F 9-5:30
●; ○ L ■ ■ X; → C-R; □ LO-F NY-G OS-W FD-F FR-W IN-W

9. New York State Legislative Library

Capitol, Room 337
Albany, NY 12224
(518) 455-4000, Fax 463-0218; M-F 9-5 and during sessions.
●; ○ L ■ ■ X; government only; □ LO-G NY-E OS-G FD-S FR-F IN-F; ■■ L; ■ L

10. New York State Library

Reference Services, 7th Floor
Cultural Education Center
Albany, NY 12230
(518) 473-4636; M-F 9-5
○; R M; ■■; ○ P ■ ■ B ■ ■ B X-B, ○ L ■ ■ B X-B; ■■ CH; ○ BO-R (NYS gov-
ernment employees, attorneys and physicians); → C-R-CH; □ LO-F NY-E OS-S FD-S FR-F IN-F; ■■ CH; ■■ L; ■ P L

11. Union University. Albany Law School

80 New Scotland Avenue
Albany, NY 12208
(518) 445-2340, Fax 445-2314; M-F 8-5, S 9-5, Su 10-5 except during exam periods.
○ R U M; ○ P ■ ■ B ■ ■ B, ○ L ■ ■ B; ■■ CH; → C-R-CH FT-R CH; □ LO-F NY-S OS-G FD-S FR-F IN-G; ■■ P L; ■ L

12. Whiteman, Osterman, & Hanna

1 Commerce Plaza
Albany, NY 12260
(518) 449-7600; M-F 9-5
●; ○ L ■ ■ X; → BO-R J-R O-R C-R FT-R; □ LO-F NY-E OS-W FD-E FR-W IN-W; ■■ P L; ■ P L

ALBION

13. Albion Correctional Facility

3595 State School Road
Albion, NY 14411
(716) 589-5511
See entry 4.

14. Orleans Correctional Facility

35-31 Gaines Basin Road
Albion, NY 14411
(716) 589-6820
See entry 4.

ALDEN

15. Wende Correctional Facility

P.O. Box 1187
Alden, NY 14004-1187
(716) 937-4000
See entry 4.

ALTONA

16. Altona Correctional Facility

Devil Den Road, Box 125
Altona, NY 12910-0215
(518) 236-7841
See entry 4.

ATTICA

17. Attica Correctional Facility

Box 149
Attica, NY 14011-0149
(716) 591-2000
See entry 4.

18. Wyoming Correctional Facility

P.O. Box 501
Attica, NY 14011
(716) 591-1010
See entry 4.

AUBURN

19. Auburn Correctional Facility

135 State Street, Box 618
Auburn, NY 13021
(315) 253-8401
See entry 4.

BATH

20. Supreme Court Library

3 Pultney Square
Bath, NY 14818
(607) 776-9631 x2099; M-F 9-5
○; R U M; ○ P ■ ■ B ■ ■ B, ○ L ■ ■ B ■ ■ B; ■■; → C-R; □ LO-W NY-G FD-G; ■■ P L

BEACON

21. Fishkill Correctional Facility

Box 307
Beacon, NY 12508
914 831-4800
See entry 4.

BEDFORD HILLS

22. Bedford Hills Correctional Facility

247 Harris Road
Bedford Hills, NY 10507-2499
914 241-3100
See entry 4.

23. Taconic Correctional Facility

250 Harris Road
Bedford Hills, NY 10507-2498
914 241-3010
See entry 4.

BINGHAMTON

24. New York State Supreme Court



Library

Broome County Court House, Room 107
Binghamton, NY 13901
(607) 778-2119, Fax (607) 772-8331; M-F 9-5

○; ○ P ♦ ♣ ×; ○ L ♣ ×; ♣-CH; ○ BO-R J O; → BO-R J O C-R FT-R; □ LO-G NY-E OS-G FD-S FR-W IN-W; ♣ P; ♣ P L; ♣ P L

BROCTON

25. Lakeview Shock Incarceration

P.O. Box T
Brocton, NY 14716

(716) 792-7100

See entry 4.

BROOKLYN

26. Brooklyn Law School

250 Joralemon Street

Brooklyn, NY 11201

(718) 780-7973; M-F 8-12M, S 9-5, Su 9-9

●; → BO-R; □ LO-F NY-E OS-F FD-E FR-F IN-G; ♣ L; ♣ L

BUFFALO

27. Damon & Morey

1000 Cathedral Place

298 Main Street

Buffalo, NY 14202

(716) 856-5500; M-F 9-5

●; ○ L ♣-B ×-B; □ LO-F NY-S OS-W FD-S FR-W IN-W

28. Hodgson, Russ, Andrews, Woods & Goodyear

1800 One M & T Plaza

Buffalo, NY 14203

(716) 856-4000 x282, Fax 849-0349

●; ○ L ♣-B ×-B-CH ×-B-CH; □ LO-G NY-S OS-F FD-E FR-F IN-F; ♣ P L; ♣ P L

29. Moot & Sprague

2300 Empire Tower

Buffalo, NY 14202

(716) 845-5200; Fax 845-6285; M-F 8:30-4:30

●; ○ L ♣-B ×-B; □ LO-G NY-S OS-W FD-S FR-W IN-F

30. New York State Supreme Court Library

92 Franklin Street, 4th Floor

Buffalo, NY 14202

(716) 852-0712; M-F 9-5

○; ○ P ♦ ♣; ○ L ♣; ♣-CH; → BO-R J-R O-R P-R-CH; □ LO-E NY-E OS-F FD-G FR-W IN-W; ♣ P-CH; ♣ P L; ♣ P L

31. Phillips, Lytle, Hitchcock, Blaine and Huber

3400 Marine Midland Center

Buffalo, NY 14203

(716) 854-7086, Fax 854-6461

●; ○ L ♣-B ×-CH ×-CH; □ LO-G NY-E OS-F FD-E FR-F; ♣ P L

32. Saperston and Day, P.C.

1100 Goldome Center

One Fountain Plaza

Buffalo, NY 14203

(716) 856-5400; M-F 8:30-5:30

●; ○ L ♣-B ×-B; □ LO-W NY-G OS-W FD-G FR-W IN-F; ♣ P L; ♣ P L

33. State University of New York at Buffalo

Charles B. Sears Law Library

O'Brian Hall, North Campus

Buffalo, NY 14260

(716) 636-2048, Fax 636-3860; M-Th 8-11, F 8-9, S 9-6, Su 12-10

○; ♣; ○ P ♣-B ×-B ×-B; ○ L ♣ ×-B ×-B; ♣-CH; → BO-R-CH, C-R-CH, FT-R-CH; □ LO-S NY-E OS-E FD-E FR-F IN-G; ♣ L; ♣ L

CANTON

34. New York State Supreme Court Library

Court House

Court Street

Canton, NY 13617

(315) 379-2279; M-F 9-5, Jul.-Aug. 8-4

○ R U H M; ♣; ○ P ♣-B; ♣-CH; → BO-R J-R C-R; □ LO-G NY-G FD-G; ♣ P L

CAPE VINCENT

35. Cape Vincent Correctional Facility

Rt. 12E, Box 599

Cape Vincent, NY 13618

(315) 654-4100

See entry 4.

CATSKILL

36. New York State Supreme Court Library

Court House

Catskill, NY 12414

(518) 943 3130; M-F 9-5

○ R M; ○ P ♦-B ♣-B; ♣; → C-R; □ LO-W NY-S OS-W FD-G; ♣ P L; ♣ P L

COMSTOCK

37. Great Meadow Correctional Facility

Box 51

Comstock, NY 12821

(518) 639-5516

See entry 4.

38. Washington Correctional Facility

Box 180

Comstock, NY 12821-0130

(518) 639-4486

See entry 4.

CORTLAND

39. New York State Supreme Court Library

Court House

P.O. Box 5590

Cortland, NY 13045

(607) 753-5011; M-F 9-5

○ R U H; ○ P ♦-B ♣-B ×-B; ○ L ♣-B ×-B; ♣; → C-R FT R; □ LO-F NY-G FD-G; ♣ P L

COXSACKIE

40. Greene Correctional Facility

P.O. Box 8

Coxsackie, NY 12051-0008

(518) 731-2741

See entry 4.

DANNEMORA

41. Clinton Correctional Facility

Box B

Dannemora, NY 12929

(518) 492-2511

See entry 4.

DELHI

42. New York Supreme Court Library

Court House Square

Delhi, NY 13751

(607) 746-3959; T-Th 9-3:30

○ R U H M; ♣; ○ P ♦-B ♣-B ×-B; ○ L ♣-B ×-B; ♣-CH; → BO J O C-R-CH FT-R-CH; □ LO-F NY-G FD-F; ♣ P L

ELIZABETHTOWN

43. New York State Supreme Court Library

Court House

Elizabethtown, NY 12932

(518) 873-6301; M-F 9-5, Closed 12-1

○; ♣; ○ P ♦-B ♣-B; ○ L ♣-B ×-B; ♣-CH; → BO C-R; □ LO-G NY-G OS-W FD-S; ♣ P L

ELMIRA

44. Elmira Correctional Facility

Box 500

Elmira, NY 114902-0511

(607) 734-3901

See entry 4.

45. New York State Supreme Court Library

Hazlett Building

Elmira, NY 14901

(607) 737-2983 Fax 732-8879; M-F 9-5

○; ♣; ○ P ♦ ♣; ○ L ♣ ×-X; ♣-CH; → BO-R J-R O-R C-R-CH FT-R CH; □ LO-G NY-E OS-W FD-S FR-W IN-W; ♣ P L

FALLSBURG

46. Sullivan Correctional Facility

Box AG

Fallsburg, NY 12733-0116

914 434-2080

See entry 4.

FISHKILL

47. Downstate Correctional Facility

P.O. Box 445

Fishkill, NY 12524-0445

See entry 4.

GOSHEN

48. New York State Supreme Court

Library

255-275 Main Street

Goshen, NY 10924

914 294-5151 x1031; M-F 9-5, Newburgh M-Tu 9-9, F-S 9-5, Su 1-5
 ○; ○ P ♦ -B ▢-B, ○ L ▢-B; ▢ CH; □ LO-F NY-S OS-F FD-S FR-W IN-W; ♠ P L

HELMUTH

49. Collins Correctional Facility
 Helmuth, NY 14079-0200
 (716) 532-4588
 See entry 4.

HERKIMER

50. Herkimer County Law Library
 Herkimer County Courthouse
 Herkimer, NY 13350
 (315) 867-1172 Fax 866-7991; M-F 9-5, Jun.-Aug 8:30-4
 ○; ♠; ○ P ♦ ♠-B X-B, ○ L ▢ X; ▢ CH; ○ BO-R J-R; → BO J O C-CH FT-R; □ LO-F NY-S OS-W FD-G FR-W IN-W; ♠ P L; ♠ L

HUDSON

51. Hudson Correctional Facility
 Box 576
 Hudson, NY 12534-0576
 (518) 828-4311
 See entry 4.

52. New York State Supreme Court Library
 Court House
 Hudson, NY 12534
 (518) 828-0753; M-F 9-5
 ○ R U M; ○ P ♦ ▢, ○ L ▢ X; ▢ CH; → C-R; □ LO-G NY-S OS-F FD G; ♠ P L

HUNTINGTON

53. Touro College School of Law
 300 Nassau Road
 Huntington, NY 11743
 (516) 421-2244; M-Th 8-11:45, F 8-2:45
 ○ Federal depository collection only; ♠; ○ P ▢-B X, ○ L ▢ X; ▢ CH; → BO-R J-R O-R C-R FT-R; □ LO-G NY-S OS-F FD-S IN-F; ♠ P L; ♠ P L

ITHACA

54. Cornell Law School Library
 Myron Taylor Hall
 Ithaca, NY 14853
 (607) 255-7236 Fax 255-7193; M-Th 8-11, F 8-7, S 9-5, Su 12-11
 ○; ♠; ○ P ♦ ▢ X, ○ L ▢ X; ▢ CH; ○ BO-R-CH; → BO-R J-R C-R-CH FT-R-CH; □ LO-E NY-E OS-S FD-E FR-S IN-S; ♠ P-CH; ♠ P L; ♠ P L

55. New York State Supreme Court Library
 Court House
 320 North Tioga Street
 Ithaca, NY 14850
 (607) 272-0045; M-F 10:30-2:00
 ○ R U H; ♠; ○ P ♦ -B ▢-B X-B, ○ L ▢-B X-B; ▢ CH; → C-R FT R; □ IO-W NY-S FD-G; ♠ P L; ♠ L

JAMAICA

56. New York State Supreme Court Library
 88-11 Sutphin Blvd.
 Jamaica, NY 11435
 (718) 520-3140; M-F 9-5
 ○ R U M; ♠; ○ P ♦, ○ L ▢ X; ▢ CH; → C; □ LO-E NY-E OS-G FD-E FR-W IN-F; ♠ P L

LAKE GEORGE

57. New York State Supreme Court Library
 Warren County Municipal Center
 Lake George, NY 12845
 (518) 761-6442; M-F 9-5
 ○; ♠; ○ P ♦, ○ L ▢; □ LO-W NY-F FD-F; ♠ P L

LOWVILLE

58. Lewis County Library
 Lewis County Court House
 Lowville, NY 13367
 (315) 376-5344; M-F 9-5, Jul.-Aug. 9-4
 ○ R M; ♠; ○ P ♦ -B ○ L ▢-B X-B; ○ BO-R J-R; □ LO-G NY-G OS-W FD-F FR-W IN-W

MALONE

59. Bare Hill Correctional Facility
 Caller Box # 20 Cady Road
 Malone, NY 12953
 (518) 483-8411
 See entry 4.

60. Franklin Correctional Facility
 P.O. Box 10
 Malone, NY 12953
 (518) 483-6040
 See entry 4.

MARCY

61. Marcy Correctional Facility
 P.O. Box 5000
 Marcy, NY 13403
 (315) 768-1400
 See entry 4.

62. Mid-State Correctional Facility
 P.O. Box 216
 Marcy, NY 13403-0216
 (315) 768-8581
 See entry 4.

MORAVIA

63. Cayuga Correctional Facility
 P.O. Box 1150
 Moravia, NY 13118
 (315) 497-1110
 See entry 4.

NAPANOCH

64. Eastern Correctional Facility
 Box 338
 Napanoch, NY 12458-0338
 (914) 647-7400
 See entry 4

NEW CITY

65. New York State Supreme Court Library
 Court House
 Main Street
 New City, NY 10956
 (914) 638-5396; M-F 9-5
 ○ R U M; ♠; ○ P ♦ -B ▢-B X-B, ○ L ▢ X; ▢ CH; → C-R-CH; □ LO-W NE-E FD-F

NEW YORK

66. Bangser, Klein & Rocca
 230 Park Avenue
 New York, NY 10169
 (212) 856-5800
 ○; ○ L ▢-B X-B; → BO J C FT; □ LO-F NY-F OS-W FD-F FR W IN-W

67. Bayview Correctional Facility
 550 West 20th street
 New York, NY 10011-2878
 (212) 255-7590
 See entry 4.

68. Bigham Englar Jones & Houston
 14 Wall Street, 22nd Floor
 New York, NY 10005-2140
 (212) 732-4646, Fax 619-0781; M-F 9:30-5:30

○; ○ L ▢ X; → BO-R J O C FT; □ LO-T NY-G OS-F FD-G FR-G IN-G; ♠ L

69. Breed, Abbott & Morgan
 153 E. 53rd St, 56th Floor
 New York, NY 10022
 (212) 888-0800, Fax 888-0258; M-F 9:30-5:30

○; ○ L ▢ X; → BO-R J-R O-R C-R FT-R; □ LO-G NY-S OS-W FO-S FR-W IN-W;

70. Briger & Associates
 805 Third Ave, 21st Floor
 New York, NY 10022
 (212) 758-4000, Fax 888-7587; M-F 9:30-5:30

○; ○ L ▢ X; → BO J O C-CH FT-R; □ LO-W NY-W OS-W FD-S FR-S IN-F

71. Brown & Wood
 One World Trade Center
 New York, NY 10048
 (212) 839-5300; M-F 9:30-5:30
 ○; ○ L ▢; → BO-R J O; □ LO-F NY-F OS-F FD-G FR-W IN-W; ♠ L; ♠ L

72. Brumbaugh, Graves, Donohue & Raymond
 30 Rockefeller Plaza, 44th Floor
 New York, NY 10112
 (212) 408-2500, Fax 765-2519; M-F 8-4
 ○; ○ L ▢ X; → BO J C FT; □ LO-G NY-F OS-F FD-E FR-F IN-F; ♠ L-CH

73. Cadwalader, Wickersham & Taft
 100 Maiden Lane
 New York, NY 10038
 (212) 504-6000 Fax 412-7041; M-F 8:30-5:30
 ○; ○ L ▢ X; → BO J O C FT-R; □ LO-F NY-S OS-G FD-E FR-F IN-F; ♠ P L



74. Cahill Gordon & Reindel

80 Pine Street 17th Floor
New York, NY 10005
(212) 701-3542, Fax 269-5420; M-F 9:30-5:30

●; ☐ L ☐-R ☐-R X-R; ☐ LO-G NY-S OS-F FD-S FR-G IN-G; ☐ L; ☐ L-R

75. Carro, Spanbock, Kaster & Cuiffo

1345 Avenue of the Americas, 33rd floor
New York, NY 10105
(212) 830-9607 Fax 586-8657

●; ☐ L ☐-B ☐-B X-B; → BO-R J-R O-R C-R FT-R; ☐ LO-F NY-G OS-W FD-G FR-W IN-W; ☐ L; ☐ L

76. Carter, Ledyard & Milburn

2 Wall Street
New York, NY 10005
(212) 238-8745, Fax 732-6893; M-F 9:30-5:30

●; ☐ L ☐ ☐ X; → BO-J-R O-R C-R FT-R; ☐ LO-G NY-G OS-W FD-G FR-W IN-W; ☐ L-CH; ☐ L; ☐ L

77. Chadbourne & Parke

30 Rockefeller Plaza, 24th Floor
New York, NY 10112
(212) 408-5286, Fax 541-5369; M-F 8:45-5:45

●; ☐ P ☐-B ☐-B X-B, ☐ L ☐-B ☐-B X-B; → BO-J O C FT; ☐ LO-S NY-E OS-G FD-E FR-W IN-G; ☐ L; ☐ P L

78. Cleary, Gottlieb, Steen & Hamilton

One State Street Plaza
New York, NY 10004
(212) 344-0600 Fax 483-1361; M-F 9:30-5:30

●; ☐ L ☐-CH ☐-CH X-CH; → BO-R; ☐ LO-F NY-G OS-G FD-S FR-E IN-E; ☐ L

79. Cole & Deitz

175 Water Street, 10th Floor
New York, NY 10038-4924
(212) 269-2500

●; ☐ L ☐ ☐; → BO-J O C FT; ☐ LO-F NY-G OS-W FD-F FR-W IN-F; ☐ L; ☐ L; ☐ L

80. Columbia University Law School

435 West 116th Street 3rd Floor
New York, NY 10027-7297
(212) 854-3737; M-F 9:00-5:00

●; ☐ P ☐-CH ☐-CH X-CH, ☐ L ☐-CH ☐-CH X-CH; → BO-R J-R O-R C-CH FT-CH; ☐ LO-G NY-G OS-F FD-E FR-E IN-E; ☐ P-CH L-CH; ☐ P L; ☐ P L

81. Cravath, Swaine & Moore

World-wide Plaza
825 Eighth Avenue
New York, NY 10019
(212) 474-3500; 3:30-9:00

●; → BO-R J-R C FT; ☐ LO-E NY-E OS-G FD-E FR-W IN-F; ☐ L

82. Curtis, Mallet-Prevost Colt & Mosle

101 Park Avenue, 35th Floor
New York, NY 10178

(212) 696-6138; 9:30-6:00

☐ L ☐; → BO-J O-R C; ☐ LO-G NY-G OS-W FD-E FR-E IN-E; ☐ L

83. Davis Hoxie Faithfull & Hapgood

45 Rockefeller Plaza
New York, NY 10111
(212) 757-2200; 9:30-5:30

●; ☐ L ☐-B ☐-B X-B; → BO-R J O C FT; ☐ LO-W NY-W OS-W FD-S FR-F IN-W; ☐ P L CH; ☐ L

84. Davis, Markel & Edwards

100 Park Avenue
New York, NY 10017
(212) 685 5885; 10-4

●; ☐ L ☐; → BO-J O-R C FT; ☐ FO-F NY-F OS-W FD-F FR-W IN-W; ☐ L

85. Davis Polk & Wardwell

One Chase Manhattan Plaza
New York, NY 10005
(212) 530-4267; 9:30-5:30

●; ☐ L ☐-B ☐-B X-B; → BO-J O C FT; ☐ LO-F NY-G OS-F FD-S FR-S IN-S; ☐ L; ☐ P L

86. Debevoise & Plimpton

875 Third Avenue
New York, NY 10022
(212) 909-6714

●; ☐ L; → BO-J O-R C-R FT-R; ☐ LO-S NY-S OS-F FD-G FR-G IN-G; ☐ L; ☐ L

87. Dechert Price & Rhoads

477 Madison Avenue
New York, NY 10022
(212) 326-3500; 9:30-6

●; ☐ L ☐-B; → BO-R J O C-R FT-R; ☐ LO-G NY-G OS-W FD-G FR-W IN-W

88. Dewey Ballantine, Bushby,

Palmer & Wood

140 Broadway
New York, NY 10005
(212) 820-1300; 820-1115; 9-6

●; ☐ L ☐ ☐ X; → BO-R J-R C-R FT-R; ☐ LO-G NY-S OS-F FD-S FR-F IN-F; ☐ L

89. Dewey Ballantine, Bushby,

Palmer & Wood

101 Park Avenue
New York, NY 10178
(212) 808-2300; 8:30-6

●; ☐ L ☐-B ☐-B X-B; → BO-J O C-R FT-R; ☐ LO-F NY-F OS-W FD-F FR-W IN-W

90. Donovan, Leisure Newton & Irvine

30 Rockefeller Plaza
New York, NY 10112
(212) 632-3024; 9-5

●; ☐ L; → BO-R J-R O-R C-R CH FT-CH; ☐ LO-E NY-G OS-G FD-G FR-Y IN-G; ☐ L-CH; ☐ L

91. Dorsey & Whitney

350 Park Avenue, 15th Floor
New York, NY 10022
(212) 415-9210, Fax 888-0018; 8:30-5:30

●; ☐ L ☐-B ☐-B X-B; → BO-R J O C FT; ☐ LO-F NY-S OS-F FD-S; FR-W IN-F; ☐ L; ☐ L

92. Dow Lohnes & Albertson

437 Madison Avenue
New York, NY 10022
(212) 326-5706; 9-5

●; ☐ L ☐-B; → P-R C FT-R; ☐ LO-W NY-W OS-W FD-W FR-W IN-W

93. Epstein Becker & Green, P.C.

250 Park Avenue, 14th Floor
New York, NY 10177
(212) 351-4576; 9-5

●; ☐ L ☐-B; → BO-R J-R O-R C-R FT-R; ☐ LO-F NY-S OS-F FD-G FR-G IN-F; ☐ L

94. Ernst & Whinney

787 Seventh Avenue, 1404
New York, NY 10019
(212) 830-5964; 9-5

●; ☐ L ☐-B X-B; → BO-R J-R O-R C-R FT-R; ☐ LO-W NY-W OS-W FD-W FR-W IN-W; ☐ L ☐ L

95. Federal Reserve Bank of New York

Law Library Division
33 Liberty Street
New York, NY 10045

(212) 720-5012; Fax # by request; 9-5

●; ☐ L ☐-B X-B; → BO-R J-R O-R C-R FT-R; ☐ LO-W NY-S OS-F FD-S FR-W IN-W; ☐ P L

96. Fordham University Law School

Leo T. Kissam Memorial Library
140 West 62nd Street
New York, NY 10023

(212) 841-5220; 9-5

●; ☐ L academic only ☐ ☐ X; → BO O C FT; ☐ LO-G NY-G OS-G FD-E FR-G IN-G; ☐ L; ☐ P L

97. Fried, Frank, Harris, Schriver and Jacobson

Library
One New York Plaza
New York, NY 10004

(212) 820-8000 x 2209, Fax # by request; 9:30-5:30

●; ☐ L ☐-B ☐-B X-B; → BO-R J-R O-R C-R FT-R; ☐ LO-E NY-G OS-G FD-G FR-G IN-G; ☐ L; ☐ L; ☐ L

98. Fulbright Jaworski & Reavis McGrath

Law Library, 42nd floor
345 Park Avenue
New York, NY 10154

(212) 786-9500, x 247; 9:30-5

●; → P-R FT-R; ☐ LO-E NY-S OS-F FD-G FR-W IN-W; ☐ L; ☐ L; ☐ L

99. Gaston & Snow

666 Fifth Avenue
New York, NY 10103
(212) 469-4628; 10-5

●; ☐ L ☐ ☐ X; → BO-J O C FT; ☐ LO-F NY-G OS-F FD-S FR-G

100. Gibson, Dunn & Crutcher

Library, 48th Floor



2 Park Avenue
New York, NY 10166
(212) 351-4005, Fax 949-7606; 10-5
O R M; ♠; ♠ P ♦ ♠ ♠ X; ♠ L ♠-B ♠-B; ♠
BO J O; → BO-R J-R O-R C-R; ♠ LO-F
NY-S OS-F FD-G FR-W IN-F; ♠ P L; ♠
P L

101. Latham & Watkins
885 Third Avenue
New York, NY 10022
(212) 906-1200 x4005; 9-6
♠; ♠ L ♠-B ♠-B X-B; → BO J C-R FT-R;
♠ LO-G NY-G OS-W FD-G FR-G IN-G;
♠ L; ♠ L

102. LeBoeuf, Lamb, Leiby & MacRae
520 Madison Avenue
New York, NY 10022
(212) 715-8470, Fax (212) 715-8500;
9:30-5:30
♠; ♠ L ♠ X; ♠ LO-S NY-S OS-F FD-E
FR-G IN-G; ♠ L-CH; ♠ L; ♠ P L

103. Manufacturers Hanover Law Library
270 Park Avenue, 39th Floor
New York, NY 10017
(212) 270-5867, Fax 270-5930; 8:30-5:30
♠; ♠ L ♠ ♠ X; → BO J C FT; ♠ LO-G NY-
E OS-W FD-S FR-W IN-G; ♠ L; ♠ L

104. Marks, Murase & White
400 Park Avenue
New York, NY 10022
(212) 832-3333, Fax 319-8011; 9:30-5:30
♠; ♠ P ♠-B ♠-B, ♠ L ♠ X; → BO-R J-R
O-T C-R-CH FT-R; ♠ LO-G NY-S OS-W
FD-G FR-S IN S

105. McDermott, Will & Emory
1211 Avenue of the Americas
New York, NY 10036
(212) 768-5400, Fax 768-5444; 9:30-5:30
♠; ♠ L ♠-B ♠-B X-B; → BO J O C FT; ♠
LO-S NY-S OS-F FD-E FR-W IN-W; ♠ L;
♠ L

106. Mendes & Mount
3 Park Avenue
New York, NY 10016
(212) 951-2338, Fax 951-2248; 10-5
♠; ♠ L ♠ ♠ X; → BO J O C FT; ♠ LO-W
NY-F OS-W FD-G FR-W IN-W; ♠ L-CH;
♠ L; ♠ L

107. Milbank, Tweed, Hadley and McCloy
1 Chase Manhattan Plaza
New York, NY 10005
(212) 530-5200, Fax 530-5219; M-F 9-6,
S 9:30-1:30
♠; ♠ P ♠-B, ♠ L ♠-B ♠-B X-B; → BO-R J-
O-R C FT; ♠ LO-G NY-G OS-G FD-G
FR-G IN-G; ♠ L; ♠ L; ♠ L

108. Milgrim Thomajan & Lee
53 Wall Street
New York, NY 10005
(212) 858-5215, Fax 858-5301; 9:30-5:30

♠; ♠ L ♠-B ♠-B; → BO-R J-R O-R C-R
FT-R; ♠ LO-G NY-G OS-W FD-G FR-W
IN-W

109. Morgan & Finnegan
345 Park Avenue
New York, NY 10154
(212) 415-8576, Fax 751-6849; 9:30-5
♠; ♠ L ♠ ♠ X; → BO-R J-R O-R C-R FT-
R; ♠ LO-W NY-W OS-W FD-F FR-F IN-
F; ♠ L; ♠ L; ♠ L

110. Morgan, Lewis & Bockius
101 Park Avenue
New York, NY 10178
(212) 309-6258; 9:30-5:30
♠; ♠ L ♠-B; → BO-R J-R O-T C-R FT-R;
♠ LO-F NY-F OS-W FD-S FR-W IN-W;
♠ L; ♠ L

111. Morgan Stanley & Co., Inc.
Legal Department Library
1251 Avenue of the Americas
New York, NY 10020
(212) 703-6642, Fax 703-4435; 5:15-5:15
♠; ♠ L ♠-B ♠-B X-B; → BO-R J-O-C-R
FT-R; ♠ LO-W NY-F OS-W FD-W FR-F
IN-F

112. NAACP Legal Defense Fund
999 Hudson Street
New York, NY 10013
(212) 219-1900; 9-5:30
O R U H M; ♠ P ♦ ♠ ♠ X; ♠-CH; ♠ BO
J O; → BO J O C FT; ♠ NY-S FD-S

113. New York Law Institute
120 Broadway
New York, NY 10271
(212) 732-8720; 9-5
♠; ♠ P ♠-B ♠-B, ♠ L ♠-B; → BO J O C
FT; ♠ LO-S NY-S OS-S FD-S FR-S IN-S;
♠ L

114. New York Law School
57 Worth Street
New York, NY 10013
(212) 431-2332; 9-5
♠; → BO J O C FT; ♠ LO-S NY-S OS-S
FD-S FR-S IN-S

115. New York Life Insurance Co.
51 Madison Avenue
New York, NY 10010
(212) 576-6458; 9-4:30
♠; → BO-R J-R O-R C-R FT-R; ♠ NY-S
OS-G FD-G

116. New York State Power Authority
1633 Broadway
New York, NY 10022
(212) 468-6000; 10:00-4:00
♠; ♠ L ♠-B ♠-B; → BO-R J-R O-R C-R
FT-R; NY-S FD-S

117. New York State Supreme Court Library—Civil Branch
60 Centre Street
New York, NY 10007
(212) 374-8385; M-F 9-5
♠; ♠ P ♠-B, ♠ L ♠ ♠ X; → Only to other
New York State court libraries; ♠ LO-F

NY-S OS-F FD-F FR-W IN-W; ♠ L
118. New York State Supreme Court Library—Criminal Branch
100 Centre Street
New York, NY 10007
(212) 374-6267, Fax 374-8827; M-F 9-5
O R U H By app't.; ♠; ♠ P ♦ ♠ ♠ X; ♠ L
♠ ♠ X; ♠-CH; → BO-R J-R C-R FT-R; ♠
LO-G NY-S OS-G FD-G FR-W IN-W; ♠
P L; ♠ P L

119. New York University School of Law
40 Washington Square South
New York, NY 10012
(212) 998-6312; 9-5
♠; ♠ L ♠-B ♠-B X-B; → BO-R J-R O-R C-
R-CH; ♠ OS-S FD-S IN-S; ♠ L; ♠ L

120. Nixon, Hargrave, Devans & Doyle
30 Rockefeller Plaza
New York, NY 10112
(212) 586-4100; M-F 9:30-5:30
♠; ♠ L ♠ ♠-CH X-CH; → BO-R H-R FT-
R; ♠ LO-S NY-S OS-W FD-S FR-F IN-F

121. Olwine, Connelly, Chase, O'Donnell & Weyher
♠; ♠ P ♠-B ♠-B X-B, ♠ L ♠-B ♠-B X-B; →
BO-R F-R O-R C-R FT-R; ♠ NY-S FD-S

122. O'Melveny & Myers
11153 East 53rd Street
New York, NY 10022
(212) 326-2008; 9-5:30
♠; ♠ L ♠-B; → BO-R J-R O-R P-R FT-R;
♠ NY-S FD-S; ♠ L; ♠ L

123. Orrick Herrington & Sutcliffe
599 Lexington Avenue
New York, NY 10022
(212) 326-8874; 9:30-5:30
♠; ♠ L ♠-B; → BO J C-R; ♠ LO-W NY-F
OS-W FD-F FR-W IN-W; ♠ L

124. Parker Chapin Flattau & Klimpl
1211 Avenue of the Americas
New York, NY 10036
(212) 704-6332; 9:30-5:30
♠; → BO-R J-R C-R; ♠ LO-F NY-S OS-W
FD-S FR-W IN-W

125. Patterson Belknap Webb & Tyler
30 Rockefeller Plaza
35th Floor
New York, NY 10112
(212) 698-2103; 9:30-5:30
♠; → BO J O-R C-R FT-R; ♠ LO-S NY-E
OS-E FD-E FR-F IN-F; ♠ L

126. Paul, Hastings, Janofsky & Walker
9 West 57th Street
New York, NY 10019
(212) 832-6100, Fax 750-5092
♠; ♠ L ♠; → BO-R J-R O-R C-R FT-R; ♠
LO-G NY-G OS-G FD-G FR-G IN-G; ♠ L

127. Paul, Weiss, Rifkind, Wharton & Garrison
12185 Avenue of the Americas, 27th Floor

9:30-5:30

●; → BO-R J-R (To LLAGNY members only, 3/day)

128. Pennie & Edmonds

1155 Avenue of the Americas, 22nd Floor

New York, NY 10036

●; → BO J O; □ LO-W NY-W OS-W FD-S FR-S IN-G

129. Pfizer Inc. Law Library

235 E. 42nd Street

New York, NY 10017

(212) 573-3782; 8:45-5:30

●; → BO-R J-R O-R C-R FT-R

130. Proskauer Rose Goetz & Mendelsohn

1585 Broadway

New York, NY

(212) 969-5005 (ILL); 9:30-5:30

●; □ L □-B □-B X-B; → BO J O C-R FT-R; □ LO-S NY-S OS-F FD-S FR-W IN-F;

● L; ● L

131. Simpson Thacher & Bartlett

425 Lexington Avenue

New York, NY 10017

(212) 455-2802; 9:30-5:30

●; □ P □, □ L □-X; □ LO-S NY-S OS-G FD-S FR-G IN-G; ● L; ● P L; ● P L

132. Skadden, Arps, Slate, Meagher & Flom

919 Third Avenue

New York, NY 10022

(212) 735-3000; 9:30-5

●; □ LO-W NY-E OS-G FD-S FR-G; ● L; ● P L

133. Sullivan & Cromwell

125 Broad Street

New York, NY 10004

(212) 558-3780; 9-5:30

●; □ LO-E NY-E OS-G FD-S FR-E IN-E; ● P L; ● P L

134. Teachers Insurance and Annuity Assoc.

730 3rd Avenue

New York, NY 10017

(212) 490-9000; 8:45-4:30

●; □ L □-X; → BO J O; □ LO-S NY-S OS-W FD-F FR-G IN-G

135. Tenzer, Greenblatt, Fallon & Kaplann

405 Lexington Avenue

New York, NY 10174

(212) 573-4359; Fax 573-4313

●; □ L □-X; → BO-R J-R O-R C-R FT-R; ● P L

136. Touche Ross & Co. (Tax Library)

1633 Broadway

New York, NY 10019

(212) 489-1600; M-F 8:30-5:30

●; □ L □-X; → BO-R J-R O-R C; □ LO-G NY-G OS-F FD-S FR-F IN-F; ● L

137. Townley & Updike

405 Lexington Avenue

New York, NY 10174

(212) 973-6052; M-F 9:30-5:30

●; □ P □-B □-B X-B; □ L □-X; → BO J O P F; □ LO-G NY-G OS-W FO-E FR-W IN-W; ● L-CH; ● L ● L

138. U.S. Court of International Trade

One Federal Plaza

New York, NY 10007

(212) 264-2816; M-F 9:30-4:30

○ R U; ●; □ P □-B □-B X-B; □ L □-X; ●-CH; → BO J O-R C-R FT; □ LO-W NY-F OS-W FD-G FR-W IN-E; ● L

139. Wachtell, Upton, Rosen & Katz

299 Park Avenue

New York, NY 10171

(212) 371-9200, Fax 371-4527; 8:30-8:00

●; □ P □-B □-B X-B; □ L □-X; → BO J O P F; □ LO-S NY-S OS-F FD-F FR-W IN-W; ● L; ● L

140. Walter, Conston, Alexander & Green, P.C.

90 Park Avenue

New York, NY 10016

(212) 210-9526, Fax 210-9444; M-F 9-5

●; □ L □-X; → BO J O C-R FT; □ LO-W NY-W OS-W FD-S FR-E IN-E

141. Warshaw, Burstein, Cohen, Schlesinger & Kuh

X 5th Avenue

New York, NY 10017

(212) 954-7731, Fax 975-9150 M-F 9:30-5:30

●; □ P □-B □-B X-B; □ L □-X; → BO J O-R C FT-R; □ LO-G NY-E OS-W FD-G FR-W IN-W; ● L

142. Webster & Sheffield

237 Park Avenue

New York, NY 10017

(212) 808-6515, Fax 557-6134; M-F 9-6

●; □ L □-X; → BO J O C; □ LO-S NY-G OS-F FD-E FR-W IN-F; ● L ● L

143. Weil, Gotshal & Manges

767 5th Avenue

New York, NY 10153

(212) 735-4560, Fax 735-4800; 8-10

●; □ L □-X; → BO J O-R C FT; □ LO-S NY-G OS-G FD-S FR-F IN-F; ● L; ● L

NORWICH

144. N.Y.S. Supreme Court Library

5 Maple Street

Norwich, NY 13815

(607) 334-9463; M-TU 8-2, Th 8-1:30

○ R H M; ●; □ P □-B □-B X-B; □ L □-X; → BO J O C-R CH FT; □ LO-G NY-S OS-W FD-W FR-W IN-W; ● P L; ● P L

OGDENSBURG

145. Ogdensburg Correctional Facility

One Correction Way

Ogdensburg, NY 13669-2288

(315) 393-0281

See entry 4.

146. Riverview Correctional Facility

P.O. Box 158

Ogdensburg, NY 13669

(315) 393-8400

See entry 4.

OSSINING

147. Sing Sing Correctional Facility

354 Hunter Street

Ossining, NY 10562-5442

914 941-0108

See entry 4.

OSWEGO

148. New York State Supreme Court Library

Oswego County Court House

East Oneida Street

Oswego, NY 13126

○; ●; □ P □-X; □ L □-X; ● BO-R J-R O-R; → BO J O P FT; □ LO-W NY-S OS-W FD-G FR-W IN-W

OTISVILLE

149. Otisville Correctional Facility

Box 8

Otisville, NY 10963-0008

914 386-1490

See entry 4.

PINE CITY

150. Southport Correctional Facility

P.O. Box 2000

Pine City, NY 14871

(607) 737-0850

See entry 4.

PLATTSBURGH

151. New York State Supreme Court Library

72 Clinton Street

Plattsburgh, NY 12501

(518) 565-4808; M-F 9-12, 1-5

○ R M; ●; □ P □-B □-B X-B; □ L □-X; ●-CH; → C-CH; □ LO-G NY-S OS-W FD-S FR-W IN-W; ● P L; ● L

RAY BROOK

152. Adirondack Correctional Facility

Box 110

Ray Brook, NY 12977-0110

(518) 891-1343

See entry 4.

ROCHESTER

153. Harter, Secrest & Emery

700 Midtown Tower

Rochester, NY 14604

(716) 232-6500; M-F 9-5

●; □ L □; □ LO-S NY-S OS-G FD-S FR-F IN-F; ● L; ● L

154. Harris, Beach & Wilcox

130 East Main Street

Rochester, NY 14604

(716) 232-4440



155. Mousaw, Vogdor, Reeves, Heilbrunner & Kroll

600 First Federal Plaza
Rochester, NY 14614
(716) 325-2500, Fax 325-3733; M-F, 9-5:45

●; $\angle$ L π -B π -B $\times$ -B; $\rightarrow$ BO-R C-R-CH FT-R-CH; $\sqcup$ LO-F NY-S OS-W FD-G FR-W IN-W; ** P L; * L

156. Appellate Division Law Library

575 Hall of Justice
Rochester, NY 14614
 $\square$ R H M; $\angle$ P $\diamond$ -B π -B $\times$ -B-CH; $\angle$ L π -B π -B $\times$ -B; ** CH; $\rightarrow$ BO-CH C-CH FT-CH; $\sqcup$ LO-E NY-E OS-G FD-G FR-W IN-W; ** P L; * P L

157. Nixon, Hargrave, Devans & Doyle

Clinton Square
P.O. Box 2220364
Rochester, NY 14602
(716) 546-8000, Fax 546-3543; M-F 9-5:15

●; $\angle$ L π -B π -B $\times$ -B; $\rightarrow$ C-R FT-R-CH; $\sqcup$ LO-F NY-G OS-W FD-G FR-W IN-W; ** L; * L

158. Underberg & Kessler

1800 Lincoln First Tower
Rochester, NY 14604
(716) 258-2880, Fax 258-2821; M-F 9-5
●; $\angle$ L π -B π -B $\times$ -B; $\rightarrow$ BO-R J-R O-R C-R-CH FT-R-CH; ** P; * P

ROME

159. Mohawk Correctional Facility

P.O. Box 8450
6100 School Road
Rome, NY 13440
Temp. (315) 339-6880
See entry 4.

160. Oneida Correctional Facility

6100 School Road
Rome, NY 13440
(315) 339-6880
SARATOGA SPRINGS

161. Supreme Court Library

2 City Hall
474 Broadway
Saratoga Springs, NY 12866
(518) 584-4862; M-F, 1-5
 $\square$; $\angle$; $\angle$ P $\diamond$ π ; $\angle$ L π $\times$; ** CH; $\rightarrow$ BO-R J-R O-R C-R FT-R; $\sqcup$ LO-S NY-S OS-W FD-S FR-W IN-W; ** P L; * P L

SCHENECTADY

162. New York State Supreme Court Library

Court House
612 State Street
Schenectady, NY 12307
(518) 382-3310; M-F 9-5
 $\square$ R H M; $\angle$; $\angle$ P $\diamond$ π -B $\times$ $\times$; $\angle$ L π $\times$ $\times$; ** CH; $\rightarrow$ BO-R J-R O-R C-R FT-R; LO-S NY-S OS-W FD-S FR-W IN-W; ** P L; * P L

SCHOHARIE

163. New York State Supreme Court Library

County Building
Schoharie, NY 12157
(518) 295-7900; M-F 9-12:30
 $\square$ R H M; $\angle$ P $\diamond$ -B π -B; $\angle$ L π -B π -B; $\rightarrow$ C-R; $\sqcup$ LO-W NY-G FD-G; ** P L
SONYEA

164. Groveland Correctional Facility

Route 36, Sonyea Road
Sonyea, NY 14556-0001
(716) 658-2871
See entry 4.

STATEN ISLAND

165. Arthur Kill Correctional Facility

2911 Arthur Kill Road
Staten Island, NY 10309-1197
(718) 356-7333
See entry 4.

STORMVILLE

166. Green Haven Correctional Facility

Stormville, NY 12582
914 221-2711
See entry 4.

SYRACUSE

167. Bond, Schoeneck & King

One Lincoln Center
Syracuse NY 13202
(315) 422-0121, Fax 422-3598; 9-5
●; $\angle$ P π -B π ; $\angle$ L π $\times$ $\times$; $\rightarrow$ BO J C FT-CH; $\sqcup$ LO-G NY-G OS-W FD-E FR-W IN-W; ** P L; * P L

168. Legal Services of Central New York

1033 South Warren Street
Syracuse, NY 13202
(315) 475-3127; M-F 9-5
●; $\angle$ P π ; $\angle$ L π ; $\rightarrow$ BO-R O-R C-R-CH; $\sqcup$ LO-F NY-G OS-W FD-G FR-W IN-W

169. MacKenzie Smith Lewis Mitchell & Hughes

600 Onondaga Savings Bank Building
Syracuse, NY 13202
(315) 474-7571, Fax 474-6409; 9-5, June-Aug. 9:30-4:30
●; $\angle$ L π $\times$ $\times$; $\square$ BO-R J-R O-R; $\rightarrow$ BO J O C-R FT; $\sqcup$ LO-W NY-E OS-W FD-S FR-W IN-W; ** P L; * P L

170. New York State Supreme Court Library

500 Court House
Syracuse, NY 13202
(315) 435-2063, Fax 425-9635; 9-5, July-Aug. 8:30-4:30
 $\square$; $\angle$; $\angle$ P $\diamond$ π $\times$ $\times$; $\angle$ L π $\times$ $\times$; ** CH; $\square$ BO J O; $\rightarrow$ BO J O C-CH FT-R-CH; $\sqcup$ LO-E NY-E OS-G FD-E FR-F IN-W; ** P L; * P L

171. Scolaro, Shulman, Cohen, Lawler & Burstein
90 Presidential Plaza

Syracuse, NY 13202

(315) 471-8111, Fax 471-1355; M-F 9-5
 $\angle$ L π $\times$ $\times$; $\rightarrow$ BO-R J-R O-R C FT; $\sqcup$ LO-W NY-S OS-W FD=F FR-W IN-W; ** L; * L

172. Syracuse University School of Law

M. Douglas Barclay Law Library
Syracuse, NY 13244-1030
(315) 443-9560; M-F 8-12M, S & Su 9-12M, Summer hours vary.
 $\square$; $\angle$; $\angle$ P $\diamond$ π -B π -B $\times$ -B; $\angle$ L π -B π -B $\times$ -B; ** CH; $\rightarrow$ BO-R C-CH FT-CH; $\sqcup$ LO-G NY-E OS-S FD-E FR-F IN-G; ** L; * P L

TROY

173. New York State Supreme Court Library

Court House
2nd Street Annex
Troy, NY 12180
(518) 270-3717; M-F 9-5
 $\square$ R H M; $\angle$ P $\diamond$ -B π -B π -B $\times$ -B; $\angle$ L π -B π -B $\times$ -B; ** CH; $\rightarrow$ C-R-CH FT-R-CH; $\sqcup$ LO-W NY-S OS-W FD-S; ** P L; * P L

UTICA

174. New York State Supreme Court Library

Oneida County Court House
Elizabeth Street
Utica, NY 13501
(315) 798-5703, Fax 797-0531; 8-5, July-Aug. 8-4
 $\square$; $\angle$; $\angle$ P $\diamond$ π -B π -B $\times$ -B; $\angle$ L π $\times$ $\times$; ** CH; $\square$ BO J O; $\rightarrow$ BO J O C-R FT-R; $\sqcup$ LO-G NY-E OS-W FD-S FR-W IN-W; * P L; ** P L; * P L

WALLKILL

175. Shawangunk Correctional Facility

P.O. Box 750
Wallkill, NY 12589-0750
914 845 2081
See entry 4.

176. Wallkill Correctional Facility

Box G
Wallkill, NY 12589-0286
914 895-2021
See entry 4.

WARWICK

177. Mid-Orange Correctional Facility

900 Kings Highway
Warwick, NY 10900-0900
914 986-2291
See entry 4.

WATERTOWN

178. New York State Supreme Court Law Library

Jefferson County Court House
Watertown, NY 13601



→ BO J O C-R FT-R; □ LO-G NY-G OS-
W FD-G FR-W IN-W; ** P L; * P L

179. Watertown Correctional Facility

Dry Hill

Watertown, NY 13601-0168

(315) 782-7490

See entry 4.

WEST COXSACKIE

180. Coxsackie Correctional Facility

Box 200

West Coxsackie, NY 12051-0200

(518) 731-2781

See entry 4.

WHITE PLAINS

181. New York State Supreme Court

Library

111 Grove Street

White Plains, NY 10601

914-285-3900; 9:30-4:45

○; ♠ P ♦-B ♠-B, ♠ L ♠-B; ♠-CH; □

LO-E NY-E OS-G FD-G FR-F IN-F; ** L;

* L

WILTON

182. Mt. McGregor Correctional Facility

Box 2071

Wilton, NY 12866-0996

(518) 587-3960

See entry 4.

WOODBOURNE

183. Woodbourne Correctional Facility

Riverside Drive

Woodbourne, NY 12788

914 434-7730

See entry 4.

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INDEX OF LAW LIBRARY SUBJECT SPECIALTIES

Libraries surveyed were invited to name as many as four of their subject specialties. The numbers following the subjects refer to the entries in the directory for the libraries having these specialties.

- Accounting 74
- Advocacy Training 172
- Antitrust Law 69, 74
- Auditing 94
- Aviation 77, 106
- Banking 27, 31, 73, 79, 88, 95, 103, 105, 107, 124, 131, 169
- Banking Legislation 95
- Bankruptcy 86, 139
- Business 5, 136
- Civil Practice 55, 169
- Civil Rights 112
- Commercial Law 54
- Computer Law 103
- Contracts 90
- Copyright 72, 86, 90, 109, 128; *See also* Intellectual Property
- Corporate Law 12, 27, 31, 32, 69, 73, 74, 90, 98, 100, 123, 130, 132, 133, 135
- Correctional Law 3
- Criminal Law 4, 34, 50, 52, 118, 148, 162, 173
- Employee Retirement Income Security Act 125; *See also* Pensions
- Energy 116
- English Law 68
- Entertainment 75
- Environment 12, 75, 158, 167
- Estates, Powers, Trusts 89, 107, 125, 154, 171, 173
- Family 42, 50, 52, 148, 168, 173
- Federal Documents 10, 33, 53, 170
- Federal Law 10, 120
- Federal Practice 30
- Finance 94
- Food and Drugs 129
- Health Care 12, 158
- Hospitals 158
- Housing 168
- Immigration 28
- Information Science 118
- Insurance 106, 115
- Intellectual Property 83, 86, 108; *See also* Copyrights, Patents and Trademarks
- International Law 78, 138
- Judaica 53
- Labor 12, 77, 86, 124, 126, 130, 137, 169, 171
- Latin America 82
- Law Management and Technology 172
- Legislation, New York 9, 10
- Legislative History 10, 133
- License 128
- Litigation 74, 98, 125, 130, 135, 154
- Maritime Law
- Medical Malpractice 27
- Municipal Finance 123
- New York City 142
- New York State 10, 11, 117, 119, 120
- New York State Constitutional Convention 2
- New York State Documents 8, 10, 33, 170
- New York State Legislation 9, 10
- New York State Practice 31
- Patents 10, 28, 72, 109, 128; *See also* Intellectual Property
- Pensions 167, 171; *See also* Employee Retirement Income Security Act
- Post-conviction Remedies 4
- Powers *See* Estates, Powers, Trusts
- Practitioner Materials, Historical (18th-19th C) 174
- Prisoners' Rights 3, 4
- Prisons 3
- Real Estate 73, 75, 88, 89, 105, 135, 141, 169, 173
- Records and Briefs, Federal; Unspecified 170; Second Circuit 1983- 10; U.S. Supreme Court 10
- Records and Briefs, New York; Attorney General's (New York State Department of Law) 6; All Departments and Court of Appeals 10, 156, 181; Unspecified 30, 174
- Securities 28, 71, 88, 98, 100, 105, 107, 110, 111, 123, 132, 135, 139
- Taxation 7, 11, 27, 28, 30, 31, 32, 56, 69, 70, 73, 74, 77, 88, 89, 94, 96, 105, 107, 111, 124, 126, 130, 133, 135, 142, 143, 154, 158, 167, 169, 171, 172
- Telecommunications 103
- Trademarks 10, 28, 72, 109, 128; *See also* Intellectual Property
- Trial Practice 24, 30; *See also* New York Practice; Federal Practice
- Trial Transcripts 118
- Trusts *See* Estates, Powers, Trusts
- Union of Soviet Socialist Republics 80
- Venture Capital 98
- Welfare 168
- Western Europe 80



1990: International Literacy Year



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